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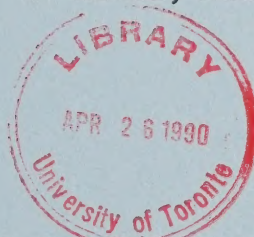
# ENVIRONMENTAL ASSESSMENT BOARD

VOLUME: 191

DATE: Wednesday, April 11th, 1990

BEFORE: A. KOVEN, Chairman

E. MARTEL, Member




FOR HEARING UPDATES CALL (TOLL-FREE): 1-800-387-8810

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# ENVIRONMENTAL ASSESSMENT BOARD

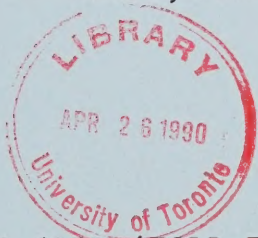
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HEARING ON THE PROPOSAL BY THE MINISTRY OF NATURAL  
RESOURCES FOR A CLASS ENVIRONMENTAL ASSESSMENT FOR  
TIMBER MANAGEMENT ON CROWN LANDS IN ONTARIO

IN THE MATTER of the Environmental  
Assessment Act, R.S.O. 1980, c.140;

- and -

IN THE MATTER of the Class Environmental  
Assessment for Timber Management on Crown  
Lands in Ontario;

- and -

IN THE MATTER OF a Notice by the  
Honourable Jim Bradley, Minister of the  
Environment, requiring the Environmental  
Assessment Board to hold a hearing with  
respect to a Class Environmental  
Assessment (No. NR-AA-30) of an  
undertaking by the Ministry of Natural  
Resources for the activity of timber  
management on Crown Lands in Ontario.

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Hearing held at the Ramada Prince Arthur  
Hotel, 17 N. Cumberland Street, Thunder Bay,  
Ontario on Wednesday, April 11th, 1990,  
commencing at 8:30 a.m.

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VOLUME 191

BEFORE:

MRS. ANNE KOVEN  
MR. ELIE MARTEL

Chairman  
Member



A P P E A R A N C E S

MR. V. FREIDIN, Q.C.)	
MS. C. BLASTORAH )	MINISTRY OF NATURAL
MS. K. MURPHY )	RESOURCES
MS. Y. HERSCHER )	
MR. B. CAMPBELL )	
MS. J. SEABORN )	MINISTRY OF ENVIRONMENT
MS. B. HARVIE )	
MR. R. TUER, Q.C.)	ONTARIO FOREST INDUSTRIES
MR. R. COSMAN )	ASSOCIATION and ONTARIO
MS. E. CRONK )	LUMBER MANUFACTURERS'
MR. P.R. CASSIDY )	ASSOCIATION
MR. H. TURKSTRA	ENVIRONMENTAL ASSESSMENT
	BOARD
MR. E. HANNA )	ONTARIO FEDERATION OF
DR. T. QUINNEY )	ANGLERS & HUNTERS
MR. D. HUNTER )	NISHNAWBE-ASKI NATION
MS. N. KLEER )	and WINDIGO TRIBAL COUNCIL
MR. J.F. CASTRILLI)	
MS. M. SWENARCHUK )	FORESTS FOR TOMORROW
MR. R. LINDGREN )	
MR. P. SANFORD )	KIMBERLY-CLARK OF CANADA
MS. L. NICHOLLS)	LIMITED and SPRUCE FALLS
MR. D. WOOD )	POWER & PAPER COMPANY
MR. D. MacDONALD	ONTARIO FEDERATION OF
	LABOUR
MR. R. COTTON	BOISE CASCADE OF CANADA
	LTD.
MR. Y. GERVAIS)	ONTARIO TRAPPERS
MR. R. BARNES )	ASSOCIATION
MR. R. EDWARDS )	NORTHERN ONTARIO TOURIST
MR. B. McKERCHER)	OUTFITTERS ASSOCIATION



APPEARANCES: (Cont'd)

MR. L. GREENSPOON)	NORTHWATCH
MS. B. LLOYD )	
MR. J.W. ERICKSON, Q.C.)	RED LAKE-EAR FALLS JOINT
MR. B. BABCOCK )	MUNICIPAL COMMITTEE
MR. D. SCOTT )	NORTHWESTERN ONTARIO
MR. J.S. TAYLOR)	ASSOCIATED CHAMBERS
	OF COMMERCE
MR. J.W. HARBELL)	GREAT LAKES FOREST
MR. S.M. MAKUCH )	
MR. J. EBBS	ONTARIO PROFESSIONAL
	FORESTERS ASSOCIATION
MR. D. KING	VENTURE TOURISM
	ASSOCIATION OF ONTARIO
MR. D. COLBORNE )	GRAND COUNCIL TREATY #3
MS. S.V. BAIR-MUIRHEAD )	
MR. R. REILLY	ONTARIO METIS &
	ABORIGINAL ASSOCIATION
MR. H. GRAHAM	CANADIAN INSTITUTE OF
	FORESTRY (CENTRAL
	ONTARIO SECTION)
MR. G.J. KINLIN	DEPARTMENT OF JUSTICE
MR. S.J. STEPINAC	MINISTRY OF NORTHERN
	DEVELOPMENT & MINES
MR. M. COATES	ONTARIO FORESTRY
	ASSOCIATION
MR. P. ODORIZZI	BEARDMORE-LAKE NIPIGON
	WATCHDOG SOCIETY



APPEARANCES: (Cont'd)

MR. R.L. AXFORD	CANADIAN ASSOCIATION OF SINGLE INDUSTRY TOWNS
MR. M.O. EDWARDS	FORT FRANCES CHAMBER OF COMMERCE
MR. P.D. McCUTCHEON	GEORGE NIXON
MR. C. BRUNETTA	NORTHWESTERN ONTARIO TOURISM ASSOCIATION



I N D E X   O F   P R O C E E D I N G S

<u>Witness:</u>	<u>Page No.</u>
<u>WILLIAM J. ROLL,</u> <u>JAMES A. WADDELL,</u> <u>JAMES RODERICK GEMMELL,</u> <u>PETER MITCHELL MURRAY,</u> <u>MALCOLM F. SQUIRES,</u> Resumed	33592
Continued Direct Examination by Ms. Cronk	33592
<u>MICHAEL INNES,</u> <u>DALE MUNRO,</u> Sworn	33754
Direct Examination by Mr. Cosman	33755
SCOPING SESSION	33828



I N D E X     O F     E X H I B I T S

<u>Exhibit No.</u>	<u>Description</u>	<u>Page No.</u>
1111	Hard copy photographs of three slides and one overhead re: Mr. Waddell's evidence.	33697
1112	Map titled: The Location of E.B. Eddy's FMAs and Case Study Area within Northeastern Ontario.	33703
1113	Map entitled: The Detailed View of the Case Study Area in Relation to Camp 12 Road Access.	33710
1114	Set of overheads re an integrated resource plan system for timber management.	33758
1115	Timetable for plan preparation, the Industry proposal.	33759
1116		



1 ---Upon commencing at 8:35 a.m.

2 MADAM CHAIR: Please be seated.

3 Ms. Cronk, before you start--

4 MS. CRONK: Thank you.

5 MADAM CHAIR: --just a minute to tie  
6 together some of the sense from last evening.

7 We won't be hearing any more submissions  
8 on fixing the date for Forests for Tomorrow's  
9 submission of witness statements. The Board will be  
10 going over that material and going over your  
11 submissions to us and we will be issuing our directive  
12 later this week.

13 With respect to the other proposals that  
14 Forests for Tomorrow has made with respect to  
15 documentation distribution, we will hear submissions  
16 from other parties and we will set the date for April  
17 the 25th. I think most of the parties will be in  
18 Thunder Bay that day and we will hear submissions on  
19 the evening of April the 25th.

20 MS. SWENARCHUK: Excuse me, Mrs. Koven.  
21 I in fact was not planning to be here that day that  
22 week. Assuming that Panel 7 is on, Mr. Castrilli will  
23 be here for us.

24 Is it urgent that it be done then or  
25 could it be done the next time while in Toronto, or the

1 alternative would be next week when I am here again.

2 MADAM CHAIR: Yes, next week is...

3 MS. SWENARCHUK: Too early?

4 MADAM CHAIR: Not too early for the  
5 Board, it's just a matter of notifying the other  
6 parties. It suits the Board.

7 MS. SWENARCHUK: I will and send a letter  
8 tomorrow to all the parties outlining what I outlined  
9 last night. I can include in that letter a notice that  
10 you have indicated that it's to be discussed.

11 MADAM CHAIR: Then we will change the  
12 date to the 6th. We are here -- we are scoping Panel 7  
13 next Wednesday?

14 MR. CASSIDY: That's correct, the 18th.

15 MADAM CHAIR: So the 17th is the Tuesday.

16 MS. SWENARCHUK: The Tuesday evening.

17 MADAM CHAIR: The evening of the 17th the  
18 Board will hear submissions about Ms. Swenarchuk's  
19 proposals on documentation distribution and other  
20 matters.

21 The Board will also be issuing something  
22 with respect to the use of witness panels at satellite  
23 hearings, although you have heard essentially our  
24 decision already, but we will put something in writing  
25 and issue that probably the next week as well.

1 MS. SWENARCHUK: And again, scoping Panel  
2 7 is next Wednesday?

3 MADAM CHAIR: Next Wednesday evening is  
4 the date Mr. Cassidy proposed and the Board thought  
5 that was suitable.

6 MR. CASSIDY: With the deadline for the  
7 statement of issues being the 17th?

8 MADAM CHAIR: Yes.

9 MR. MARTEL: Yes.

10 MADAM CHAIR: Are there any other dates  
11 that we discussed last evening?

12 MR. CASSIDY: The only other date I think  
13 we spoke to, Madam Chair, was on the 18th we would then  
14 fix a date to discuss the matter of filing terms and  
15 conditions?

16 MS. SWENARCHUK: And I would just like to  
17 repeat a request that Ms. Devaul perhaps fax all the  
18 parties outlining all of these dates, since not  
19 everyone will necessarily know them otherwise.

20 MADAM CHAIR: Yes.

21 MS. SWENARCHUK: Thank you.

22 MS. SEABORN: Madam Chair, perhaps we  
23 could fix a date for that terms and conditions  
24 discussion right now, because if Ms. Devaul is going to  
25 send out a letter listing dates, that would give all

1 the parties ample notice of that, and I think the  
2 suggestion was that if we had that the week of April  
3 24th.

4 MADAM CHAIR: The 23rd.

5 MS. SEABORN: Either the 24th or 25th, I  
6 suggest.

7 MADAM CHAIR: Ms. Blastorah, the date  
8 that your client is going to be contacting the parties  
9 was next week?

10 MS. BLASTORAH: April 12th.

11 MR. CASSIDY: Tomorrow.

12 MS. BLASTORAH: Tomorrow. That material  
13 will be distributed.

14 MADAM CHAIR: All right. And we assume  
15 you will be ready for the discussion any evening the  
16 week of the 23rd?

17 MS. BLASTORAH: As far as I know that  
18 won't be a problem. I expect it will probably depend  
19 more on the other parties reviewing the material.  
20 Obviously I can't project at this time whether there  
21 may be any issues of clarification that they may need  
22 or any discussion in that regard, but at this time I  
23 don't see why it wouldn't be possible.

24 MADAM CHAIR: Well, let's set the date  
25 for Tuesday evening, April the 24th.

1 MS. BLASTORAH: Thank you.

2 MADAM CHAIR: Ms. Cronk?

3 MS. CRONK: Thank you, Madam Chair, Mr.

4 Martel.

5 When we broke yesterday afternoon Mr.  
6 Squires was presenting evidence regarding case study 4C  
7 and I should point out as well that a number of the  
8 witnesses on the panel indicated to me last night that  
9 from the angle where they were sitting they were having  
10 difficulty seeing the screen and the exhibits, so with  
11 your indulgence they switched.

12 WILLIAM J. ROLL,  
13 JAMES A. WADDELL,  
14 JAMES RODERICK GEMMELL,  
PETER MITCHELL MURRAY,  
MALCOLM F. SQUIRES, Resumed

15 CONTINUED DIRECT EXAMINATION BY MS. CRONK:

16 Q. Mr. Squires, then with respect to  
17 your case study, case study 4C dealing with the Spruce  
18 River Forest, could you outline for the Board, please,  
19 the nature of the cover type dealt with in the case  
20 study?

21 MR. SQUIRES: A. Yes, I can. The cover  
22 type as has been mentioned is the spruce-fir hardwood  
23 or mixed wood cover type. The nature of that cover  
24 type as found in the Spruce River Forest is generally a  
25 mixture of species including black spruce, white

1 spruce, balsam fir, trembling aspen and white birch.  
2 Occasionally jack pine will be involved.

3 The cover type can involve any mixture of  
4 those species. On the Spruce River Forest we looked at  
5 the cover type as involving at least 10 per cent of  
6 hardwood or softwood, so any mixtures inbetween that  
7 range then would fall into the description of the cover  
8 type. When we did that and analysed our FRI we found  
9 that approximately 40 per cent of the Spruce River  
10 Forest is covered by this cover type.

11 I should add that the cover type in that  
12 mixture or range of mixtures would probably be found in  
13 each of the FMAs and across the area of the  
14 undertaking.

15 Q. And yesterday, Mr. Squires, you  
16 pointed out on Exhibit 1110 where the case study area  
17 was situate within the Spruce River Forest forest  
18 management agreement area. How far is the case study  
19 area from Thunder Bay?

20 A. The case study area from Thunder Bay  
21 is approximately 60 kilometres or 37 miles in a  
22 straight line. If we were to take a road, however,  
23 travelling from Thunder Bay up the Spruce River Highway  
24 and across the Wolf River Road to the vicinity of the  
25 case study area would be 67 kilometres or 40 miles.

1 Q. And how large is the case study area  
2 in total?

3 A. The case study area is 192 hectares.

4 Q. And can you explain to the Board why  
5 you felt it appropriate to select and present this case  
6 study to them regarding the timber management  
7 activities in this area of the area of the undertaking?

8 A. Yes, I can. The case study was  
9 chosen because it's an example of the type of  
10 silviculture that is carried out within this working  
11 group in the area of the undertaking.

12 A second reason was that it was a  
13 relatively productive site on fine textured soils and  
14 those soils range from clay to sandy loam, they are  
15 generally well drained, fresh, stone free, moderately  
16 stoney. The site is moderately rich and supports a  
17 wide variety of herbs, shrubs and grasses in addition  
18 to the tree species mentioned.

19 The third reason was that demonstrates  
20 the regeneration potential of NSR, particularly NSR 3  
21 which is a major part to renewal of the initial years  
22 of most FMAs.

23 The fourth reason we chose the case study  
24 area was that it permitted an examination of the  
25 sequence of timber management from access to fifth-year

1 assessment.

2 Q. The Board has heard other evidence,  
3 Mr. Squires, from MNR witnesses concerning NSR lands,  
4 but can you help me: Are all the lands in this case  
5 study area NSR lands?

6 A. Yes, they are.

7 Q. All right. And could you explain in  
8 greater detail, if you would please to the Board, the  
9 relationship of the case study area to the Wolf River  
10 Road and describe to the Board the blocks or the stands  
11 that comprise the case study area?

12 A. Yes, I can. I would like to now go  
13 to Figure 2 which will be found on page 6 of the text.  
14 To do that I will illustrate with an overhead.

15 Q. This is Figure 2 you said, Mr.  
16 Squires?

17 A. Yes, this is Figure 2.

18 Q. And what does it depict?

19 A. Figure 2 depicts the precise location  
20 of the case study area on the Wolf River Road, and if  
21 we were to refer back to the map of Figure 1 or Exhibit  
22 1110, I will again point out the location of the Wolf  
23 River Road exiting from Highway 527 at the south end of  
24 the Spruce River Forest and then travelling east  
25 through the red block, which I have identified as a

1 base map 488-884, and that contains the blowup we have  
2 on the screen here for Figure 2.

3 Going to Figure 2, we see three blocks  
4 and they are located along the Wolf River Road. The  
5 red block which is block 5, the yellow block, block 6  
6 are north of the Wolf River Road and block 10 is south  
7 of Wolf River Road and east of the other two blocks,  
8 and block 10 is coloured in green.

9 Q. Do those three blocks all form part  
10 of the case study area?

11 A. All three of those blocks form the  
12 case study area. I should point out that block 5 has  
13 76 hectares; block 6 has 55 hectares, and block 10 has  
14 61 hectares.

15 Q. Can you describe for the Board what  
16 the characteristics were of each of the blocks?

17 A. Yes, I can. The condition of the  
18 blocks at the time of the beginning of renewal efforts  
19 was as I described earlier NSR, and that means it was  
20 primarily unregenerated condition, that's unregenerated  
21 to the initial species.

22 The block 5 area was primarily barren and  
23 scattered, block 6 was partially barren and scattered -  
24 I am speaking now to the 1971 inventory - block 6 was  
25 partially barren and scattered and partially

1 understocked, or partially stocked mature stands mostly  
2 of poplar working group with one small stand of black  
3 spruce. Block 10 in the 1971 inventory was an  
4 unharvested stand of poplar working group with black  
5 spruce and white spruce poplar mixture and the  
6 occasional jack pine.

7 Q. When were these blocks first  
8 harvested, Mr. Squires?

9 A. Blocks 5 and 6 were first harvested  
10 in 1954-56 by Abitibi-Price. Blocks 5 and 6, also  
11 block 10, were harvested a second time in 1971-75 by a  
12 variety of third parties, and again in 1982 all three  
13 blocks were harvested a third time. This time a  
14 salvage operation of residual or remaining merchantable  
15 values that we wanted removed in order to complete  
16 renewal efforts.

17 Q. All right. Well, we will come to the  
18 details of the harvesting efforts in a moment, but are  
19 you able to illustrate for the Board what the  
20 conditions of these stands were at the time of the  
21 initial harvesting in the mid-1950s?

22 A. Yes, I can. And to do that I would  
23 like to go to some slides.

24 Q. What slide number is this, Mr.  
25 Squires?

1                   A. This is slide No. 2.2. I would like  
2 to point out some features of this slide.

3                   The location of it is almost midway  
4 between blocks 6 and 10 of the case study on the south  
5 side of the Wolf River Road and it's located in the  
6 streamside reserve on the Wolf River. I take it to be  
7 a typical example of the hardwood portion with a  
8 softwood understorey of the condition that pre-existed  
9 the 1954-56 harvest which was a softwood harvest by  
10 Abitibi-Price.

11                  Stands of this nature were partially cut  
12 in that harvest and would be found primarily on block 6  
13 at the time of the signing of the Spruce River Forest  
14 and the beginning of renewal efforts in the case study.

15                  Right here we are looking at a poplar  
16 overstorey with the trees approximately 20 to 22 metres  
17 tall, an understorey of white spruce and black spruce  
18 and some balsam fir and a very rich herbaceous ground  
19 cover.

20                  MR. MARTEL: Can I ask a question, Mr.  
21 Squires? Had it been cut previous to this, because the  
22 area you said was pretty good in terms of soil and so  
23 on. What accounts for it being NSR at that stage of  
24 the game? Had there been previous cutting on it or  
25 prior to 55?

1 MR. SQUIRES: Are we speaking to the  
2 slide or the case study area in general?

3 MR. MARTEL: Well, I am not sure there is  
4 that much difference; is there? I am just talking in  
5 terms of that area.

6 MR. SQUIRES: Okay. To make a  
7 distinction in the slide I said it's in a streamside  
8 reserve, so it was never harvested.

9 The case study area itself, blocks 5 and  
10 6 were clearcut, to all practical purposes block 5 was  
11 entirely clearcut for softwood. So if I would assume  
12 that that was a pure softwood condition or nearly,  
13 there were some residual white birch and trembling  
14 aspen left.

15 Block 6, portions of it were clearcut in  
16 the clearest description of clearcut. Portions of it  
17 were apparently partially cut because there was enough  
18 residual poplar and white birch in the 1971 inventory  
19 which came after the 54-55 -- 54-56 harvest. It then  
20 became classified as hardwood. But if my memory is  
21 correct, it was approximately 60 per cent stocked; in  
22 other words, that is 60 per cent of the potential basal  
23 area on the stand.

24 Block 10 was not harvested at all until  
25 1971-75. At that time it was practically clearcut for

1 a variety of problems.

2 MR. MARTEL: You indicated this term  
3 though, not satisfactorily regenerated at the time you  
4 started.

5 MR. SQUIRES: Yes.

6 MR. MARTEL: I guess the difficulty I am  
7 having is understanding why an area that has good soil  
8 and so on would be not satisfactorily regenerated?

9 Maybe I am just mixing up when the  
10 definition was put to it, not satisfactorily  
11 regenerated, because under those types of conditions  
12 they should have good growth; should they not?

13 MR. SQUIRES: Okay. The not  
14 satisfactorily regenerated designation was applied to  
15 it at the time of the signing of the FMA with the NSR  
16 survey, okay, and it was judged to be not sufficiently  
17 restocked because it had not regenerated to the  
18 original softwood species.

19 MR. MARTEL: That was the early 80s then?

20 MR. SQUIRES: That is correct.

21 MR. MARTEL: All right. Fine, thank you.  
22 That is what it was.

23 MS. CRONK: Q. When was the Spruce River  
24 Forest FMA signed, Mr. Squires, what year?

25 MR. SQUIRES: A. The Spruce River Forest

1 agreement was signed in December of 1981.

2 Q. All right. And do I take it then in  
3 light of your exchange with Mr. Martel that it was at  
4 that time that the NSR designation was found to apply  
5 to this area?

6 A. That is correct.

7 Q. And I am sorry, is there another  
8 slide then that you wish to show the Board?

9 A. Yes, I do have another photograph and  
10 it is photograph 2.3. I show this photograph to  
11 illustrate what the case study area looked like prior  
12 to the salvage harvest in 1982.

13 A significant portion, particularly the  
14 barren scattered and areas of block 5 and block 6, I am  
15 talking pre-NSR designation, barren and scattered here  
16 now as it would have been described in the 1971  
17 inventory.

18 This slide was not taken on the case  
19 study area, it was taken in an area of the 1956  
20 harvest, about seven kilometres to the west of the case  
21 study area and it was in a small portion of that area  
22 that had regenerated similarly to the way the case  
23 study area had regenerated to a mixture of scrub  
24 hardwood species with the occasional white birch and  
25 some trembling aspen.

1                   The slide is shown to illustrate the  
2                   density of that vegetation and the probable reason why  
3                   there was very little softwood present at the time of  
4                   the signing of the FMA and the NSR survey. I point out  
5                   a stump from the 19 -- from the trees harvested in the  
6                   1956 harvest.

7                   Q. You are pointing to the right lower  
8                   portion of the photograph?

9                   A. Thank you. Yes, I am, Ms. Cronk.  
10                  The lower right corner is the stump. Adjacent to the  
11                  stump and just to the right of it there is a small  
12                  white birch tree. There is a clump of speckled alder  
13                  immediately behind the stump and forming most of the  
14                  background to the photograph.

15                  Immediately at the base of the stump  
16                  there is a view of a variety of the herbaceous species  
17                  that were present. There is a yellow pitatonia, there  
18                  is a trientalis borealis or a star flower, and not  
19                  visible but there are various lycopodium mosses and I  
20                  believe there is a fern that appears to be one of the  
21                  dryopteris species present to the right of the stump.  
22                  There is very little moss cover although a lot of leaf  
23                  litter present.

24                  Q. Do the conditions shown in this  
25                  photograph reflect the conditions on the case study

1 area prior to the 1982 harvest, Mr. Squires?

2 A. That is correct. Certainly primarily  
3 on block 5 and 6 and some portions of block 10.

4 Q. Now, among the interrogatories that  
5 we have filed with the Board, Mr. Squires, are  
6 interrogatories delivered by the Ministry of the  
7 Environment. Do you have a copy of those as we marked  
8 them yesterday?

9 A. Yes, I do.

10 Q. I would ask you to look, if you would  
11 please, at MOE Interrogatory No. 11 which is part of  
12 Exhibit 1104. MOE Interrogatory No. 11. Do you have  
13 that, Mr. Squires?

14 A. Yes, I have it.

15 Q. Well, I am not going to ask you to go  
16 through this, but the question related to a request for  
17 the provision of FRI stand parameters for each area  
18 harvested and renewed, and in the centre section of the  
19 response dealing with case study 4C certain stand  
20 parameters are set out.

21 Can you help me, please: Does the  
22 information contained there reflect the FRI data  
23 available regarding this case study area in the early  
24 1970s?

25 A. Yes, it does. And what I would like

1 to point out about that information is the predominance  
2 of the barren and scattered and first age classes which  
3 are indicative to me of my earlier statement that most  
4 of the block 5 and 6 were clearcut.

5 Q. All right. And how can we tell from  
6 this information that there is a predominance of barren  
7 and scattered cover?

8 A. If we were to look at the block 5  
9 stands we find that three of the four stands were  
10 barren and scattered, and if we look at block 6, two of  
11 the stands, one of them the major stand in the block,  
12 was barren and scattered.

13 Q. Now, you have indicated to the Board  
14 the periods over which harvesting took place. Could  
15 you provide an indication to the Board of the timing of  
16 the full timber management activities that took place  
17 in the case study area?

18 A. Yes, I can. The first harvest, as I  
19 have already mentioned, took place in 1954-56, a second  
20 harvest occurred in 1971-75, and a third harvest which  
21 I referred to as a salvage harvest occurred in 1982.

22 Also in 1982, following the signing of  
23 the FMA and our renewal responsibilities, we carried  
24 out an aerial spray of 2,4-D. Also in 1982 we carried  
25 out mechanical site preparation treatments. There were

1 two treatments on block 10 and a small portion of block  
2 5 and one treatment on the remainder of block 5 and all  
3 of block 6.

4 In 1983 the entire case study area, 192  
5 hectares, was planted with large black spruce container  
6 stock and in 1984 blocks 5 and 6 were aerially tended  
7 and in 1985 block 10 was aerially tended.

8 Q. All right. Well, before we come to  
9 examine those activities, could you first, Mr. Squires,  
10 outline generally for the Board what organizational  
11 structure applied at Abitibi-Price at the time that  
12 these case study activities were undertaken?

13 A. Yes, I can. And for the Board's  
14 benefit I will show overheads of that. I would like  
15 the Board to go to Figure 4 found on page 11 and that  
16 will be overhead...

17 This overhead is a small summary of the  
18 organizational structure of the Lakehead Woodlands of  
19 Abitibi-Price that pre-existed the Spruce River Forest;  
20 that is to say, pre-1981.

21 Q. It pre-existed the forest or the FMA?

22 A. The FMA.

23 Q. Thank you.

24 A. It's not that old.

25 At that time the Lakehead Woodlands

1 Division was headed up by a woods manager, there was an  
2 assistant woods manager reporting directly to him. The  
3 assistant to the woods manager was responsible for the  
4 renewal effort that was occurred on the freehold lands  
5 of Abitibi-Price, the Lakehead, and harvesting and  
6 supply of wood products to supply the three paper mills  
7 I've mentioned and a sawmill at the time.

8 The general superintendent of forestry  
9 and purchasewood, which is one of two general  
10 superintendents reporting to the assistant woods  
11 manager, the general superintendent of forestry and  
12 purchasewood also had assistant superintendent of  
13 forestry. The assistant superintendent's  
14 responsibility was to carry out the planning and to  
15 supervise the renewal efforts on the company's freehold  
16 at the division.

17 The general logging superintendent was  
18 responsible for the production superintendent's  
19 supervision of harvesting efforts on the company's  
20 licensed and freehold lands.

21 The significant part of this  
22 administration is that there was a complete split  
23 between harvesting and renewal.

24 I would like to now go to Figure 5 which  
25 is located on page 12. Figure 5, we see the

1 organization of the Lakehead Woodlands relative to  
2 harvesting and renewal as it existed in 1989. At this  
3 time we had a woodlands manager, but the assistant  
4 woodlands manager is no longer present.

5 The split between the general logging  
6 superintendent -- or general superintendent of forestry  
7 and purchasewood and the general logging superintendent  
8 still exists in line structure.

9 Beneath the general superintendent of  
10 forestry and purchasewood there was in 1989 a  
11 divisional forester, beneath the divisional forester  
12 there was a management forester. The management  
13 forester was the author of timber management plans for  
14 the Lakehead Division Timber Limits and there was a  
15 staff foreman reporting directly to the divisional  
16 forester. His responsibilities in the line structure  
17 were the freehold renewal efforts and a portion of the  
18 renewal on the FMA in the northwest corner if we were  
19 to look at Exhibit 1110. This area here on the  
20 northwest corner. (indicating)

21 The general logging superintendent in  
22 1989 had some new staff. He had an operation forester  
23 whose responsibility was to supervise the planning and  
24 layout of renewal on the east, central and south  
25 portions of the FMA as illustrated on Exhibit 1110.

1                   Additionally he had a staff foreman  
2                   planning. That staff foreman planning was responsible  
3                   for liaison at the camp level with camp staff to get  
4                   the grass roots, so to speak, information for planning  
5                   purposes. It was his responsibility and is his  
6                   responsibility to communicate that grass roots  
7                   information to the author of the plans.

8                   During renewal efforts on the FMA, there  
9                   are some staff shuffles. The management forester who  
10                  is the author of the plans gets some field experience,  
11                  he reports at that time directly to the general logging  
12                  superintendent and he supervises the planting effort in  
13                  the southern half -- I should say a third of the FMA.  
14                  The staff foreman forestry for freehold renewal  
15                  efforts, as I mentioned, does the planting in the  
16                  northwest corner of the FMA, he also has full  
17                  responsiblity for all tending on the FMA and all of our  
18                  lands.

19                  The Board I believe will see that there  
20                  is a fair amount of integration of responsibilities,  
21                  renewal and harvesting and that the general logging  
22                  superintendent is totally responsible for the  
23                  successful delivery of wood to the mill or mills at  
24                  Thunder Bay and he is also responsible for the actual  
25                  renewal effort.

1                   The divisional forester has the  
2                   responsibility for the technical input into that  
3                   renewal effort and there is an ongoing communication  
4                   between the general logging superintendent and the  
5                   divisional forester and it is essential that the two  
6                   responsibilities work very closely together at all  
7                   times.

8                   Q.   Just looking at that organizational  
9                   chart, Mr. Squires, is the position that you currently  
10                  hold reflected on this figure?

11                  A.   Yes, I'm the Divisional Forester.

12                  MADAM CHAIR:   Excuse me.   Mr. Squires,  
13                  does Abitibi have responsibility for renewing the  
14                  licensed areas and freehold areas that you have  
15                  mentioned?

16                  MR. SQUIRES:   No, we do not.

17                  MADAM CHAIR:   You simply purchase the  
18                  wood from those areas?

19                  MR. SQUIRES:   Those areas are held under  
20                  Crown license.   We have not got an FMA on them, so they  
21                  probably -- and the Ministry of Natural Resources has  
22                  the renewal responsibilities similar to what they had  
23                  on the Spruce River Forest prior to the signing of our  
24                  FMA.

25                  MADAM CHAIR:   And in your opinion are the

1 renewal efforts in those areas comparable to your FMA  
2 area?

3 MR. SQUIRES: No, they're not in volume.

4 MS. CRONK: Q. We have heard from Mr.  
5 Roll and from Mr. Gemmell as to the physical  
6 infrastructures that were in place in their companies,  
7 Mr. Squires, to permit the carrying out of the timber  
8 management activities described in their case studies.

9 In a comparative way, was there such  
10 physical infrastructure in place at the Lakehead  
11 Woodlands Division of Abitibi-Price for the purposes of  
12 the case study activities that you will be describing?

13 MR. SQUIRES: A. Yes, there was  
14 infrastructure in place at the time, no additional  
15 infrastructure was required after the signing of the  
16 FMA.

17 I pointed out the Wolf River Road and its  
18 existence at the time we started the renewal effort and  
19 the existence of the Highway 527. They were the routes  
20 on which all timber volumes removed from the case study  
21 area were extracted and carried to mills. There were  
22 also the routes that the renewal people utilized to  
23 access the case study area for renewal. So no  
24 additional access was required and no camp facilities  
25 were required.

1 Q. I'm sorry, no...?

2 A. Camp facilities.

3 Q. Camp facilities.

4 A. The workers commuted daily from  
5 Thunder Bay.

6 Q. What is the current employment of the  
7 Lakehead Woodlands Division of Abitibi-Price, Mr.  
8 Squires?

9 A. In December of 1989 we employed 279  
10 full-time employees and during the renewal efforts in  
11 the summer of 1989 we employed 173 part-time people at  
12 renewal efforts. There were generally the employees of  
13 contractors, but a fair number of them were direct  
14 employees of Abitibi-Price.

15 Q. Could we turn now then, if you would,  
16 please, to the actual timber management activities  
17 carried out on the case study area.

18 And bearing in mind what you have already  
19 said about the existing road network in the area, could  
20 you start with access and please indicate if there are  
21 any other features of the access arrangements which you  
22 wish to draw to the attention of the Board?

23 A. Yes. I guess I should go back to the  
24 map on Figure 2 again. I put that overhead up merely  
25 to illustrate that. I would now like to go to Figure

1 3.

2 Q. What does Figure 3 depict, Mr.  
3 Squires?

4 A. Figure 3 shows a map of the  
5 harvesting that took place in the period in the 1940s  
6 to the 1950s and I believe some areas of that map up to  
7 the 1970s on the Wolf River area of the Spruce River  
8 Forest.

9 The Wolf River Road, which I earlier  
10 illustrated on Figure 2, is also present on this  
11 illustration. This is what is now the Highway 527  
12 which was the Old Spruce River Road constructed by  
13 Abitibi-Price in late 1950's, early 60s and it  
14 continues west and later on north. This is the  
15 junction of the Wolf River Road and Highway 527.

16 Wood was extracted -- I'm sorry, wood was  
17 extracted in this direction at the time of the Abitibi  
18 harvest out through Dorion on the Wolf River. The case  
19 study blocks are shown in this overhead coloured in  
20 red, in the case study text evidence they are outlined  
21 in red.

22 The stippled -- dark stippled areas here  
23 are the area of harvest by Abitibi-Price before the FMA  
24 and it's clear from this map that case study block 5  
25 located to the west here, case study case block 6

1 immediately adjacent to it were included in that  
2 stippled area indicating that there were harvested in  
3 the 1954-56 harvest period.

4 Q. Was that true of block 10?

5 A. Block 10 is in the clear white area  
6 and it is reasonably clear that that area was not  
7 harvested at all during that time period.

8 Q. Then dealing just with blocks -- the  
9 two blocks that were harvested, blocks 5 and 6, what  
10 were the options available for harvesting in that time  
11 period?

12 A. The options for harvest were  
13 basically to use bucksaw and ax, there were no chain  
14 saws that were of a practical nature, to fell trees and  
15 remove the branches.

16 There were two alternatives for  
17 extraction and there were -- basically one was a horse  
18 and the option in this case was to skids the logs to  
19 roadside, the horse; and the second option was to buck  
20 the trees into 8 or 16-foot lengths and forward them to  
21 roadside with tractor.

22 The tractors in this case were of two  
23 probable natures but both very similar. One would  
24 winch the piles of eight-foot pulp logs in with a  
25 cable, it would raise them off the ground and carry

1       them to roadside. The second alternative was similar  
2       except instead of a cable a grapple was utilized to  
3       lift the logs and forward them to roadside. The cable  
4       skidder -- or forwarder in this case, would have been  
5       called a Nelson skidder and the grapple tractor would  
6       have been called a Johnson skidder.

7                   Q. What then happened in the early 1970s  
8       when the second harvesting activity took place?

9                   A. In the 1970s, the chain saw was then  
10       the primary felling method and limbing method. A man  
11       with a chain saw approached the tree, sawed in down and  
12       sawed the branches off.

13                   The extraction method that was -- almost  
14       20 years in the area at that time, was to utilize  
15       articulated frame wheeled skidders with cable manglings  
16       and chokers to gather the merchantable trees, felled  
17       trees together and skid them to the roadside.

18                   In the particular case we are talking  
19       about here, the second harvest was primary for veneer  
20       bolts and the logs -- veneer logs were sawed in the  
21       bush and skidded to roadside as logs rather than as  
22       tree lengths. Some softwood values were harvested in  
23       block 10 and they would have been skidded to roadside  
24       as tree length.

25                   Q. Can you assist the Board as to where

1 the harvesting actually took place in the early 1970s?

2 A. In the early 1970s, the entire area  
3 of the case study was harvested. I should go to Figure  
4 6 and 7 to illustrate that more clearly.

5 Q. Again from the case study?

6 A. That is from the case study. Figure  
7 6 will be found on page 22 and Figure 7 will be found  
8 on page 23.

9 Q. This is Figure 6?

10 A. This is Figure 6.

11 Q. And what does it depict?

12 A. It depicts a copy of the FRI map  
13 488-884 and the vicinity of case study blocks 5 and 6  
14 and this is a version of the FRI map that has been  
15 updated with harvesting. It depicts the 1971-75  
16 harvesting and it is shown with hatching.

17 The vertical hatching here which covers  
18 the entire area of block 5 and portions of block 6 and  
19 there is additional diagonal hatching. The different  
20 forms of hatching depict different years. What is  
21 shown here is that the entire of the case study blocks  
22 was indeed harvested.

23 Q. And what about block 10?

24 A. For block 10 we will go to Figure 7.  
25 Block 10 is found in the centre of the figure, it is on

1 the south side of the Wolf River Road and outlined in  
2 red and it also depicts cross-hatching with the  
3 exception of an area to the northwest.

4 So it appears about 80 per cent of the  
5 area was clearcut in 1975.

6 Q. And you've indicated earlier to the  
7 Board that there was a third period of harvesting for  
8 salvage purposes in the early 1980s.

9 Could you outline for the Board what was  
10 done then and indicate where?

11 Q. Yes, I can. The salvage harvest  
12 took place in 1982 and it was primarily with chain saw  
13 again and wheel skidder and the purpose of that third  
14 harvest was to remove remaining residual, merchantable  
15 values in all species.

16 Balsam fir, black spruce, white spruce,  
17 poplar - leaving trembling aspen - white birch and  
18 occasional jack pine were all removed during that  
19 period of salvaging and it was to clear the area and  
20 make it practical to carry out renewal efforts.

21 Q. Okay, thank you.

22 Can you assist the Board, Mr. Squires, as  
23 to how the timber was used during each of these time  
24 periods when harvesting took place?

25 A. Yes, I can. In the 1954-56 harvest

1 the balsam fir, black spruce and white spruce were  
2 delivered to the three paper mills of Abitibi-Price  
3 in Thunder Bay for manufacturing paper.

4 In the 1971-75 harvest, the main items  
5 that were removed were veneer logs, both aspen and  
6 birch, and they were delivered to Multi-Ply Hardwoods  
7 at Nipigon where they were made into plywood.

8 The 1982 harvest, which I've stated,  
9 utilized all the hardwood merchantable species at the  
10 time and they went to, to the best of our information,  
11 practically all of the local mills in some form or  
12 another.

13 The pulp values, balsam fir, black  
14 spruce, white spruce went to Abitibi-Price mills, some  
15 jack pine went to Canadian Pacific Forest Products,  
16 some poplar went to Canadian Pacific Forest Products  
17 and some to MacMillan Bloedel waferboard mill at  
18 Papoonge, and additionally there were some veneer  
19 values that went to Multi-Ply at Nipigon.

20 Q. Could you return then to renewal, Mr.  
21 Squires, and again in a summary way outline for the  
22 Board please what the options were for the case study  
23 area and then what, in fact, was done on each of these  
24 blocks?

25 A. Yes. I would like the Board now to

1 follow me to Appendix 1 and leave the following page  
2 42, two pages of that Appendix I will show as overheads  
3 to help describe the procedure of selection of options.  
4 I would first like to show page 3 of Appendix 1.

5 I would like to apologize if I happen to  
6 be casting this beam in somebody's eyes, it is  
7 something I'm not used to.

8 Here we have page 3 of Appendix 1 which  
9 is a copy of the Spruce River Forest groundrules, Table  
10 1, which sets out the silvicultural prescriptions and  
11 stocking standards for the FMA activities on the Spruce  
12 River Forest.

13 I show page 3 because it illustrates one  
14 of the two choices we had of the renewal effort on the  
15 case study area. I refer the Board to site description  
16 2 in the left column on page 3 which describes deep,  
17 well drained organic soils, less than four inches over  
18 silt to loam mineral soil, usually site class x, 1 and  
19 2.

20 The inventory working group, spruce;  
21 proposed working group, black spruce; method of  
22 harvest, clearcut; and treatment, site prepare to  
23 rearrange slash, expose mineral soil for 800 planting  
24 chances per acre, plant 800 black spruce trees per  
25 acre, tend if necessary. That prescription fits the

1 site conditions that existed on the case study area at  
2 the time of initial harvest in 1954-56. We felt that  
3 was an option.

4 I would now like to take the Board to the  
5 second site description which we thought also fitted  
6 the case study area and I would take you to page 5.

7 Q. Just before you leave that, Mr.  
8 Squires, if I could ask you to look at B under that  
9 site description; did it apply to the case study area  
10 and, if not, why not?

11 A. It did not apply in the case study  
12 area because that is a cover type variance that has a  
13 large portion of jack pine which was not present on a  
14 great majority of this case study. So we felt that it  
15 was not one of the options available to us.

16 Q. Thank you. This is page 5 you said?

17 A. This is page 5 of Appendix 1 or Table  
18 1 of the Spruce River Forest ground rules. I would  
19 draw the Board's attention to site description No. 6,  
20 deep well drained with organic soil of less than four  
21 inches over glacial till to deep silts. You'll recall  
22 that description of the deep silts being present on the  
23 site and the whole area was covered with glacial till,  
24 that was the apparent material.

25 The inventory working group at the time

1 of the signing of the FMA and beginning of renewal  
2 efforts was poplar or white birch entirely, that is  
3 according to the 1971 inventory, which you'll also  
4 recall they were mostly barren and scattered.

5 The proposed working group in A  
6 alternative which was the preferred alternative in this  
7 set of ground rules, so the proposed working group,  
8 black spruce. And to achieve that, the prescription  
9 for harvest was to clearcut softwood and hardwood when  
10 markets available, but will operate if markets were  
11 available. So the area was clearcut.

12 The available treatment under this  
13 prescription was exactly the same as under the  
14 prescription I previously described and that was to  
15 site prepare and rearrange slash and expose 800  
16 planting chances per acre and plant 800 black spruce  
17 trees per acre.

18 So we had two alternatives which turned  
19 out to be the same.

20 Q. And what were the minimum stocking  
21 requirements under those alternatives?

22 A. The minimum stocking requirements for  
23 the stocking of the proposed working group species  
24 was 40 per cent. The objective stocking to acceptable  
25 species was 70 per cent. An acceptable species here

1 would have included black spruce, white spruce, balsam  
2 fir and jack pine.

3 Q. With respect then to the site  
4 preparation component of the prescribed treatments,  
5 what were the options available to the company  
6 concerning site preparation?

7 Perhaps we could take about it in 1982  
8 after the last salvage harvest, what was available then  
9 and it was...

10 A. The option for site preparation?

11 Q. Yes.

12 A. The option for site preparation at  
13 that time were varied. We could have done no site  
14 preparation or we could have chemical site prepared  
15 with no mechanical treatment or we could have  
16 mechanical site prepared with no chemical site  
17 preparation, or we could have combined chemical and  
18 mechanical.

19 Q. And what in fact was done?

20 A. In fact, we combined chemical and  
21 mechanical and at an early stage in a portion of the  
22 area we had two mechanical site preparation treatments.

23 Q. Did the applications go as the  
24 company envisaged in terms of carrying out the site  
25 preparation?

1                   A. No, they did not go exactly through  
2 the entire treatment, the one that we had prescribed in  
3 our plan. The chemical site preparation did proceed as  
4 planned on blocks 5 and 10 and the mechanical site  
5 preparation proceeded as planned on block 10; that is  
6 to say it received a treatment from the marden chopper  
7 and Bracke scarifier.

8                   In the case of blocks 5 and 6, we ran  
9 into mechanical difficulties on block 5 and we had to  
10 introduce a second tractor on the site and the  
11 conclusion of the project was that the marden chopper  
12 treated 10 hectares of block 5, but on the remainder of  
13 the block 5 and all of block 6 a tractor with a blade  
14 was utilized to do the mechanical site preparation and  
15 the Bracke site preparation was cancelled.

16                  Q. Thank you, Mr. Squires.

17                  Still dealing with the site preparation  
18 options and what in fact was done, Mr. Squires, will  
19 you be part of the Industry's panel of witnesses  
20 dealing with renewal matters in the future?

21                  A. Yes, I will.

22                  Q. And will you be dealing with the  
23 issue of renewal treatments on the case study area at  
24 that time?

25                  A. Yes, I will.

1 Q. All right. Bearing that in mind,  
2 could you just indicate very briefly to the Board as  
3 this point why two mechanical site preparation  
4 treatments were required together with chemical?

5 Was there anything in particular that  
6 caused that to be done?

7 A. Yes. The Board will recall I talked  
8 about this being a NSR condition and the condition that  
9 prevailed was very dense thicket of hardwood brush with  
10 a wide variety of species, and additionally scattered  
11 and in some cases dense poplar regeneration and white  
12 birch regeneration.

13 The condition of that regeneration was  
14 such that we felt there was going to be a problem with  
15 mechanical site preparation because of that density and  
16 we required to prepare micro-sites for planting. The  
17 resulting site condition that would prevail without  
18 pre-treating the vegetation to make it brittle would be  
19 that it would be hazardous for the planters and  
20 impractical to a large extent.

21 So we chose to use the 2,4-D herbicide to  
22 kill most of the broad leaf vegetation and to make it  
23 brittle so that mechanical site preparation would crush  
24 it and incorporate it into the humus or duff layers so  
25 that it would decompose and add to the site.

1 Q. And then when it came to planting,  
2 Mr. Squires, what were the options available to the  
3 company in that regard?

4 A. The options that were available to  
5 the company in planting were basically to plant  
6 container or bareroot, and we chose the container  
7 option because the seedlings had already been grown for  
8 us at local greenhouses and they met our  
9 specifications.

10 The option of seeding was not available  
11 in the ground rules and planting of bareroot was not  
12 chosen because, as I stated, we had the availability of  
13 the larger container of black spruce.

14 Q. When was planting carried out on the  
15 case study area?

16 A. Planting was carried out in May and  
17 June of 1983 on all three blocks of the case study.

18 Q. All right. You have indicated that  
19 in your review with the Board of the silvicultural  
20 prescriptions, that tending was provided for if  
21 necessary. What were the tending options that applied  
22 in the case study area, what type of tending could have  
23 been done?

24 A. The options that were available to us  
25 were, as in site preparation, we could have block

1 tended; the second option was to manually tend with  
2 saws or cutting hooks; the third option was to ground  
3 apply herbicides with machinery; the fourth option was  
4 to ground apply herbicides manually with back sprayers;  
5 and the fifth option was to aerially apply herbicides  
6 from fixed wing aircraft or helicopters.

7 Q. And what was in fact done?

8 A. The chosen treatment was to utilize  
9 fixed wing aircraft and helicopters to apply the  
10 herbicides from the air.

11 Q. And when did that occur?

12 A. That occurred in August I believe,  
13 1982 -- sorry, July, 1982.

14 Q. Thank you. And then, Mr. Squires,  
15 has a fifth-year stocking assessment been carried out  
16 on the case study area?

17 A. Yes, fifth-year assessment has been  
18 carried out on the case study area.

19 Q. And can you outline for the Board the  
20 results of the assessment?

21 A. To do that I would like to go to  
22 another overhead which is Figure -- or Table No. 1  
23 found on page 39 of the witness statement.

24 MADAM CHAIR: Excuse me, Mr. Squires,  
25 just a clarification. You said that you planted in

1 1983.

2 MR. SQUIRES: That is correct.

3 MADAM CHAIR: And the tending took place  
4 a year before that, 1982?

5 MR. SQUIRES: That is correct.

6 MS. CRONK: Q. Mr. Squires, could I ask  
7 you over the break this morning to check the dates of  
8 tending again and just confirm for the Board when  
9 tending took place on each block.

10 MR. SQUIRES: A. Will do. As I have  
11 mentioned, this is Table 1 found on page 39 of the  
12 statement of evidence. I would like to draw the  
13 Board's attention to the left-hand column of this table  
14 headed up type number.

15 Q. What does that column indicate, Mr.  
16 Squires?

17 A. That column indicates the number of a  
18 series of blocks that were planted on the Spruce River  
19 Forest in 1983. There are a total of 19 blocks, or as  
20 they call them here, types.

21 Among that 19 blocks there are three that  
22 have stars beside them to the left. There is a No. 5  
23 and a No. 6 and a No. 10. Those three numbers are the  
24 same numbers of our case study blocks and are our case  
25 study blocks.

1 I would next like to draw the Board's  
2 attention to column No. 34 which is the per cent  
3 stocking to desirable species. If we move down to type  
4 or block 5 we will see that block 5 has 76 per cent  
5 stocking, beneath that block 6 has 64 per cent stocking  
6 and block 10 has 78 per cent stocking.

7 Q. And can you relate those again to the  
8 minimum and objective stocking standards set out in the  
9 ground rules?

10 A. Yes, I can. The minimum objective  
11 stocking or minimum standard stocking was 40 per cent.  
12 The objective stocking was 70 per cent.

13 Q. What does the rest of the data on  
14 this table represent, Mr. Squires?

15 A. The rest of the data starting with  
16 column 2 represents the area in hectares; the third  
17 column represents the number of plots that were  
18 surveyed to come up with the results; as I mentioned,  
19 the fourth column is the per cent stocking; the fifth  
20 column is not one which we rely much on, we put it in  
21 for interest, and it's an indication at fifth year of  
22 of how many of the trees meet free to grow standards,  
23 the planted trees; and the remaining sixth column is an  
24 indication of the range of trees that are on the site.

25 Q. What do the 19 type numbers indicate?

1       There are 19 items. You said that they relate to the  
2       case study area. What do the others relate to?

3               A. They relate to 16 other blocks  
4       similar to the three blocks of the case study, and in  
5       total they come up to 726 hectares that were planted on  
6       the Wolf River area in 1983.

7               Q. Can you relate then the results in  
8       the case study area to the balance of the results on  
9       the other areas treated in the Wolf River area in this  
10      period?

11              A. Yes, I can. If you were to scan down  
12      column 4 you will see that in all cases, with the  
13      exception of block or type 14, they all met the minimum  
14      objective stocking. Block 14 was 4.8 hectares and it  
15      achieved 35 per cent stocking.

16              Q. Dealing just with block 14, I  
17      understand that an interrogatory was delivered in  
18      respect of it?

19              A. That is correct.

20              Q. All right. Could you perhaps go to  
21      the interrogatories, please, and I am going to ask you  
22      to explain to the Board why, in the instance of block  
23      14, the only block on that table where minimum stocking  
24      results were not achieved, what the reason for that is.

25              MS. CRONK: And I can refer the Board to

1 Ministry of Environment Interrogatory No. 18.

2 Q. Just looking then, Mr. Squires, at  
3 the information that has been provided in TABLE 1 and  
4 looking down at the stocking levels indicated for each  
5 of the blocks, block 14 is the only one that had less  
6 than 40 per cent stocking. Can you explain to the  
7 Board why that was the case?

8 MR. SQUIRES: A. Yes, I can. The  
9 stocking was discovered to be low at the second-year  
10 survival remeasurement and we knew it to be in the  
11 vicinity of 35 per cent at that time, although we did  
12 not carry out a stocking assessment as such, but at the  
13 second-year survival stage 25 per cent of the planted  
14 trees were found to be in a dead or moribund condition,  
15 that is almost dead, in that they were buried by grass  
16 and raspberry.

17 Q. Thank you. You in a position to  
18 illustrate to the Board what the conditions on the case  
19 study blocks look like today?

20 A. I would like to go to a slide to  
21 illustrate that, Madam Chair.

22 Q. Which one is that, Mr. Squires?

23 A. That will be slide No. 7.17. Could  
24 we have the lights. I guess it's too light.

25 Q. I think they are down. That is about

1 as good as it gets, Mr. Squires. I am sorry, you would  
2 like them on?

3 A. No, that will be no help. This slide  
4 is a picture taken in 19 -- December of 1988 and it  
5 illustrates the condition of the plantation on block 5.

6 The ground at the time of the photograph  
7 had a half metre of snow, approximately one half feet.  
8 The small black dots that are visible throughout the  
9 photograph are the planted seedlings. These are some  
10 residual spruce trees, black and white, that were  
11 present at the time of the renewal effort on portions  
12 of the stand and they were left in the final salvage  
13 harvest because they were of unmerchantable sizes.

14 It illustrates the complete nature of the  
15 planting, that trees were planted up to the crown range  
16 of the existing trees on the site.

17 Q. What conclusions if any has the  
18 company drawn regarding the activities carried out on  
19 the case study area and the results evident to date?

20 A. We are quite convinced that the area  
21 has satisfactorily regenerated and we are pleased with  
22 that satisfactory regeneration, and I personally am  
23 quite proud of the results we have been able to achieve  
24 here in that these efforts were the second year into  
25 our renewal effort and we had phased in at a more rapid

1 pace than was planned, in that the Ministry of Natural  
2 Resources was phasing out under the terms of the FMA.  
3 We were confident we could do well and we are satisfied  
4 we have done well.

5 Q. All right. And, Mr. Squires, could I  
6 ask you to go, if you would please, to page 37 of the  
7 text of the case study, if you would please.

8 A. Page number...?

9 Q. Page 37.

10 A. Page 37.

11 Q. Just to save time now if we could,  
12 Mr. Squires, could you take a moment and review that  
13 page and indicate whether it assists you in responding  
14 to the question from Madam Chair as to the timing of  
15 the tending activities in this case study?

16 A. Tending was in September, early  
17 September. When I responded July and August, I was  
18 thinking of the mechanical site preparation.

19 Q. And what year did it take place?

20 A. The site preparation took place --  
21 sorry, the mechanical tending took place in two years,  
22 the first year on blocks 5 and 6 in 1984, and the  
23 second year, block 10 in 1985.

24 Q. And when did the chemical site  
25 preparation take place as opposed to the chemical

1 tending?

2 A. The chemical site preparations took  
3 place in July of 1982.

4 Q. Thank you. And then finally, Mr.  
5 Squires, could you outline for the Board please, again  
6 just in a summary way, what you regard to be the most  
7 important features of this case study to assist when  
8 subsequent evidence is before the Board regarding the  
9 specific activities that you have described?

10 A. Yes, I can. In summary then, I would  
11 like to go down over the specific steps that have been  
12 taken on the case study area.

13 I would start with describing the cover  
14 type again. It is the spruce-fir hardwood or mixed  
15 wood cover type containing balsam fir, black spruce,  
16 white spruce, trembling aspen and white birch.

17 I described the access to the case study  
18 area as via the Spruce River Highway, secondary highway  
19 known as Highway 527 and the Wolf River Road.

20 I then described the harvesting  
21 operations which took place in 1954-1956 and again in  
22 1971-1975 and the 54-56 was for softwood, and 1971-1975  
23 were primarily for hardwood veneer. 1982 there was a  
24 third harvest operation carried out which utilized the  
25 remaining merchantable stems of merchantable species,

1 commercial species on the site.

2 The first operations were carried out by  
3 horse and tractor with felling by buck saw and axe, the  
4 second one was carried out by chain saw felling and  
5 skidder forwarding to roadside, and the third operation  
6 was carried out similar.

7 The silvicultural method of choice on the  
8 area of the case study was clearcutting. The renewal  
9 prescriptions consisted of site preparing to re-arrange  
10 the slash and expose 800 planting chances per acre and  
11 to plant 800 black spruce per acre.

12 The site preparation involved chemical  
13 site preparation using 2,4-D. This was followed by two  
14 mechanical site preparation operations on one of the  
15 three blocks and a portion of the second, and by  
16 straight blading tractor on the remainder of the second  
17 and all of the third block.

18 Tending involving aerial application of  
19 glyphosate occurred on two blocks in 1984 and on a  
20 third block in 1985.

21 The fifth-year stocking assessment show  
22 that stocking to desirable softwoods for the three case  
23 study blocks was 76 per cent, 64 per cent, and 78 per  
24 cent.

25 And the final point that I make -- or

1 have made and would like to repeat is that 99 per cent  
2 of the area planted of the Spruce River Forest in 1983  
3 was successfully regenerated above the minimum standard  
4 according to the 1988 fifth-year assessment.

5 Q. Thank you, Mr. Squires. And one last  
6 point. Will a representative of your company be  
7 attending before the Board as part of the Industry's  
8 tending panel to speak to the use of herbicides  
9 described in this case study?

10 A. Yes, there will be.

11 Q. All right, thank you.

12 Could we turn then, Mr. Murray, to you  
13 next please and turning in that instance to case study  
14 4E.

15 As I understand it, Mr. Murray, you will  
16 be dealing with case study 4E, the case study prepared  
17 by G.W. Martin Logging Limited; is that correct?

18 MR. MURRAY: A. That is correct.

19 Q. All right, thank you. And it  
20 relates, as appears from the cover page, to the  
21 tolerant hardwood cover type as Mr. Waddell indicated  
22 yesterday and specifically to the hard maple working  
23 group; is that correct?

24 A. That is also correct.

25 Q. All right. Well, could you explain

1 as your colleagues on the panel have in respect of  
2 their companies, just in a general way at the outset  
3 for the assistance of the Board, the nature of G.W.  
4 Martin Logging Limited's operations in the area of the  
5 undertaking at the time of the case study activities?

6 A. Yes. Madam Chair, Mr. Martel, G.W.  
7 Martin Lumber Limited at the time of the case study,  
8 which was 1986, was one of the -- was the largest  
9 hardwood and pine producer in Ontario. They operated  
10 in an area from north of Sault Ste. Marie to the Ottawa  
11 Valley and south to Tweed at the lower limit of the  
12 area of the undertaking.

13 They had seven sawmills, four veneer  
14 mills, two pallet mills, a flooring plant and a  
15 harvesting operations within the area of the  
16 undertaking. They operated on an area of over 7,000  
17 square miles, an area of licence and timber access, and  
18 produced in their mills the equivalent of 150-million  
19 board feet of forest products.

20 The company was initially built up by  
21 G.W. Martin in the early 50s and through the succeeding  
22 years by the acquisition of other operating businesses  
23 to the point where prior to his death in 1984 they were  
24 about ready to acquire the assets of Weldwood Canada in  
25 Huntsville, the area of the case study.

1 Subsequently, following the fatality, the  
2 operation was sold off by the family. They decided to  
3 divest themselves of the forest industry and the  
4 companies were sold slowly '88 and '89. They are now  
5 generally operating under other names.

6 Q. Before that divestiture took place,  
7 Mr. Murray, did G.W. Martin Logging acquire Weldwood of  
8 Canada Limited?

9 A. Yes. G.W. Martin acquired Weldwood  
10 of Canada in August -- October of 1985.

11 Q. And where specifically is the case  
12 study that you will be describing to the Board in  
13 relation to the activities of G.W. Martin that you have  
14 described?

15 A. I will indicate that on a map which I  
16 shall get and I would ask the Board to refer to page 7,  
17 Figure 4 of case study 4E.

18 I am afraid the spot that shows the case  
19 study is a very small spot over here. It's in an area  
20 just north of Huntsville and Huntsville, as you will  
21 remember, is about 240 kilometres north of Toronto.  
22 It's adjacent to Algonquin Park and is well located in  
23 the Great Lakes/St. Lawrence Forest area.

24 Q. How far is the case study area from  
25 Huntsville, Mr. Murray?

1                   A. The case study area is about 32  
2 kilometres from Huntsville. I would just like to refer  
3 the Board, as I mentioned, to Figure 4, page 7.

4                   This is an illustration of the  
5 Bracebridge Crown Management Unit. The area outlined  
6 in the cross-hatch or the dotted perimeter is in effect  
7 the actual Bracebridge management unit and the  
8 Bracebridge administrative district.

9                   South River is at the north end of the  
10 district and Gravenhurst is at the south. Huntsville  
11 and the case study area are located with dots, the  
12 upper dots showing the case study area, the lower dots  
13 showing Huntsville and the sawmill of G.W. Martin.

14                  Q. The sawmill of G.W. Martin is located  
15 where?

16                  A. It's located in Huntsville.

17                  Q. And prior to the divestment of G.W.  
18 Martin that you have described, were you employed by  
19 that company, by G.W. Martin?

20                  A. I was never employed by G.W. Martin.

21                  Q. All right. What familiarity then do  
22 you have, Mr. Murray, with the activities described in  
23 this case study relating to the Huntsville area and  
24 specifically the lands forming the part of the case  
25 study?

1                   A. Well, I was employed by Weldwood of  
2 Canada from 1956 in Huntsville and prior to that I was  
3 employed by the Ministry of -- Department of Lands and  
4 Forests for a year as the unit manager in the area of  
5 the case study. I spent 25 years in Huntsville in the  
6 area of the case study and was responsible for almost  
7 all of the activities that took place on that area  
8 regarding forest activities.

9                   Q. All right. And what was your role  
10 with respect to the mill in Huntsville?

11                  A. In 1982 I returned from Sault Ste.  
12 Marie, where I had been fulfilling a function of plant  
13 manager, to Huntsville and I was plant manager there  
14 responsible for the sawmill, the flooring plant and the  
15 forest operations as well.

16                  Q. And how long have you been engaged in  
17 your career, Mr. Murray, in forestry matters?

18                  A. Well, I graduated in 1952 and I have  
19 been engaged in forestry matters since then.

20                  Q. And what proportion of that lengthy  
21 career has been spent in the Huntsville area in  
22 forestry matters?

23                  A. 25 years.

24                  Q. All right, thank you. And are you  
25 currently engaged in the practice of forestry?

1                   A. At the time of the sale of Weldwood  
2 of Canada's hardwood division I took an early  
3 retirement and formed a sole proprietorship, a  
4 consulting business and I do part-time consulting  
5 specializing in the Great Lakes/St. Lawrence area.

6                   Q. In forestry matters?

7                   A. Forestry matters.

8                   Q. And what is the name of your firm?

9                   A. Cambrian Forestry Service.

10                  Q. All right. You have said several  
11 times now that this case study is in the Great  
12 Lakes/St. Lawrence Forest area.

13                  MS. CRONK: Madam Chair, I am about to  
14 move into the actual particulars of the case study.  
15 What is the Board's pleasure as to the break this  
16 morning?

17                  MADAM CHAIR: Yes. Why don't we take our  
18 morning break now, Ms. Cronk.

19                  MS. CRONK: Thank you.

20                  MADAM CHAIR: We are in the routine of  
21 taking a morning break at 10 minutes after 10 or  
22 thereabouts, and we will break for lunch at 12:00.

23                  MS. CRONK: Thank you.

24                  ---Recess taken at 10:05 a.m.

25                  ---On resuming at 10:35 a.m.

1 MADAM CHAIR: Please be seated.

2 MS. CRONK: Q. Mr. Murray, before we  
3 took the break, I was about to ask you to deal with the  
4 implications of this case study, being in the Great  
5 Lakes/St. Lawrence Forest region, and I should remind  
6 you that the Board through other witnesses has heard a  
7 considerable amount of evidence concerning the Great  
8 Lakes/St. Lawrence Forest region.

9 So with that in mind, would you simply  
10 outline to the Board what features of that forest  
11 region are relevant to this case study?

12 MR. MURPHY: A. Yes. The Board is aware  
13 of the area of the Great Lakes/St. Lawrence and I would  
14 just like to give a few points that would make it, as  
15 Mr. Cronk says, relevant.

16 The environmental assessment document,  
17 Exhibit 4, has defined the Great Lakes/St. Lawrence  
18 region and they say that it is a broadly -- it's an  
19 imaginary line that defines an area of forest stands or  
20 specie association and the fundamental factors  
21 identifying the species association are the surficial  
22 geology of the area, the soil type, climatic conditions  
23 and drainage patterns.

24 The specific specie association  
25 variations between the Great Lakes and the boreal is

1           that in the boreal the specie associations are  
2           primarily spruce, black spruce, jack pine and a mixture  
3           of aspen and white birch, softwood, mixed wood  
4           associations. In the Great Lakes/St. Lawrence region,  
5           it's the tolerant hardwood which is maple, yellow birch  
6           and beech specie association and the red and white pine  
7           specie association. Those are the two major  
8           associations in the Great Lakes/St. Lawrence area.

9                       It's a very indistinct line, the boundary  
10          between these forest regions and, therefore, you have a  
11          blending at the boundaries; significant area of  
12          inter-mixture of the different specie associations.

13                      There are, of course, other differences  
14          as well beside the biological ones. The Great  
15          Lakes/St. Lawrence forest region is an area that is  
16          very populated, as you can appreciate, much more  
17          populated area per square mile than the boreal. It has  
18          a long history. It has has been settled for many --  
19          for well over a hundred years and because of this it  
20          has an established road system developed in much of the  
21          area and as it has a road system and it has been  
22          populated, then man has been disturbing the area for  
23          many years as well.

24                      Harvesting has been going on in most of  
25          the Great Lakes/St. Lawrence forest region for well

1 over a hundred years and, finally, it does contain a  
2 lot of private land as opposed to the boreal region and  
3 private versus Crown land comparisons.

4 Q. And just dealing further with the  
5 distinctions between the Great Lakes/St. Lawrence  
6 forest region and the boreal forest, how would you  
7 describe the Great Lakes/St. Lawrence forest region in  
8 terms of predominance of management unit types?

9 A. Yes. The Great Lakes/St. Lawrence  
10 forest region is an area that is predominantly Crown  
11 management units as opposed to the FMA in the boreal.  
12 There are approximately 29 Crown management units in  
13 the area of the Great Lakes/St. Lawrence. There are  
14 portions of four company management units and there are  
15 portions of four forest management agreements also in  
16 the Great Lakes/St. Lawrence area.

17 About 30 per cent of the area - I didn't  
18 mention that before - about 30 per cent of the area is  
19 Crown -- is patented or free to grow land as opposed to  
20 70 per cent Crown.

21 Within the Great Lakes/St. Lawrence, too,  
22 there are many small mills. As it is an area of Crown  
23 management units, supplying material from them, there  
24 are many small mills. There are over 300 -- somewhere  
25 in the range of 300 sawmills in the Great Lakes/St.

1 Lawrence area, but only 15 of them are what you would  
2 call large mills. The bulk of them are very small  
3 mills operated by small entrepreneurs, obtain their  
4 logs from the Crown management units.

5 Within the Great Lakes area there area  
6 also seven veneer mills, or there were at the time of  
7 the case study, there are only five now I believe, and  
8 there are five pulp mills, but these mills do not --  
9 pulp mills and veneer mills do not necessarily get all  
10 their supply from the Great Lakes/St. Lawrence area.

11 Q. What proportion of the area of the  
12 undertaking in your view, Mr. Murray, is representative  
13 by the Great Lakes/St. Lawrence forest region?

14 A. The Great Lakes/St. Lawrence is about  
15 30 per cent, about a third of the area of the  
16 undertaking.

17 Q. All right. And within that forest  
18 region, how significant is the tolerant hardwood cover  
19 type?

20 A. The tolerant hardwood cover type is  
21 over 50 per cent of the Great Lakes/St. Lawrence region  
22 in total and within the tolerant hardwood, the maple  
23 working group - and the Board will recall the term  
24 working group and species association - the maple  
25 working group is approximately 77 per cent of the

1 tolerant hardwood working group -- tolerant cover type,  
2 excuse me. And in the maple working group, something  
3 in the vicinity of 40 per cent of the maple is mature  
4 to overmature material.

5 The next largest working group in the  
6 Great Lakes/St. Lawrence is the white pine.

7 Q. Are you in a position, Mr. Murray, to  
8 illustrate for the Board some of the features that you  
9 have been describing about the Great Lakes/St. Lawrence  
10 forest region?

11 A. Yes, I am. I'm going to use two  
12 slides from the case study 4E. The first slide is  
13 slide .21, it's also a photograph. It is Figure 3,  
14 page 6.

15 Q. That's photo 2.1?

16 A. Photo 2.1, Figure 3, page 6 of the  
17 case study. It is a schematic description of the area  
18 of the case study. Just briefly, it's showing, as  
19 identified at the top, the Sherborne land type and the  
20 land type is a classification that is given by the  
21 forester from the Ministry of the Natural Resources  
22 research --

23 Q. I'm sorry to interrupt, Mr. Murray.  
24 Could you use the microphone, please.

25 A. Oh, I'm sorry. The Sherborne land

1 type is a type that has been defined by the Ministry of  
2 Natural Resources' researchers to identify specific  
3 types of site conditions.

4 I'm merely showing this to show the  
5 conditions I mentioned earlier to identify the Great  
6 Lakes/St. Lawrence, how they effected on this, this is  
7 a granite bedrock area. You can picture this as being  
8 part of the southern Ontario Algonquin Park area, if  
9 you wish. The bedrock, there is a loose porous soil  
10 over the surface of it. At the top of hill, of course,  
11 it will be quite dry and in this location you would  
12 find pine, oak and hemlock because those are species  
13 which adapt to that particular situation.

14 As you come further down the hill, this  
15 is on the left-hand side, the granite bedrock slope,  
16 you will have soils a little deeper and this is an  
17 ideal situation for maple and beech, upper dry slope.

18 Further down the hill or as the moisture  
19 moves down the hill you have a fresh slope as they call  
20 it, that is a definition of the moisture condition, and  
21 this is an ideal location for again maple and birch,  
22 they interact there. As you get further down the hill  
23 you hill you will have more yellow birch which is a  
24 moisture liking specie.

25 At the bottom you are in an area that is

1 more akin to that of the boreal where it is quite moist  
2 and you'll have spruce enlarged and you'll actually  
3 have the conditions similar to the Clay Belt in many  
4 areas.

5 Then on the right-hand side, this is the  
6 flat area at the top, and it indicates that where much  
7 of the area in the case study is fairly flat you have  
8 got a good moisture condition and you have a fresh  
9 upland upper flat and maple, beech, birch are the  
10 primary species.

11 Q. What slide is this, Mr. Murray?

12 A. This is slide 2.2 and - I'm mixed up  
13 in these wires - this is slide 2.2. It is a photograph  
14 taken -- an aerial photograph taken in the area of  
15 Algonquin Park and I would like to point out to the  
16 Board that none of the photos and slides that I have  
17 are specifically on the case study, they are  
18 representative of the case study area and excellent  
19 examples of it, but not specifically on the case study.

20 This was taken in Algonquin Park - and I  
21 am pointing to the middle of the slide at the moment -  
22 this is an area of hardwood. There is another ridge to  
23 an area of hardwood. In the foreground is a moisture  
24 area where there is a mixture of yellow birch. The  
25 yellow birch will be darker and purply crowns and the

1        softwood will be hemlock and probably spruce and you  
2        can see the lower areas, and this is just more or less  
3        a visual depiction of what you saw on that schematic.

4                    Q.    Thank you, Mr. Murray.    Could you  
5        explain to the Board, if you would please, first of all  
6        how large the case study area is?

7                    A.    The case study area itself - in my  
8        terminology I am using the term case study area which I  
9        will depict to the Board shortly on an overhead - is an  
10       area of the operation of G.W. Martin in the summer of  
11       1986.

12                   The case study I refer to specifically as  
13       the area within the case study area is a specific type  
14       and it's the area on which the report is done.    The  
15       case study area was an area -- was 459 hectares.    This  
16       was the total operation of G.W. Martin at that location  
17       in 1986.

18                   Q.    And within the case study area then,  
19       how large is the case study?

20                   A.    The case study specifically was 125  
21       hectares.    It is identified as part of type 418 of the  
22       FRI classification system.

23                   Q.    All right.    Why in particular, Mr.  
24       Murray, was this case study area selected for  
25       presentation?

1                   A. The case study is an excellent  
2 example of the predominant working group in the Great  
3 Lakes/St. Lawrence area. It fulfilled the requirements  
4 of the criteria for its location within a populated  
5 area if you wish, and it had the age class and specie  
6 distribution that was typical of a mature tolerant  
7 hardwood maple working group.

8                   Q. All right. Well, dealing then just  
9 first with species distribution, could you describe to  
10 the Board what species types were found in the case  
11 study area?

12                  A. Yes. And to do that I am going to  
13 refer the Board to Table 1 in the case study 4E, that's  
14 page 8, and it is the FRI data summary. The MOE  
15 Interrogatory Question 11 that was evidenced as Exhibit  
16 I believe 1104 spells this out.

17                  MS. CRONK: For the record, Madam Chair,  
18 MOE Interrogatory No. 11 is part of Exhibit 1104.

19                  MR. MURRAY: This table is taken from the  
20 case study and what we have is a depiction of the  
21 actual FRI data and the operational cruise data. It's  
22 a comparison; the FRI data is on the column on the  
23 left, and the OPC operational cruise is on the right.

24                  Without going into the details of the  
25 parameters as defined in the interrogatory, the specie

1 distribution is a percentage of the stand and on the  
2 upper part it can be seen that the hard maple in the  
3 FRI was 50 per cent of the stand and in the OPC it was  
4 60. The species throughout are generally speaking very  
5 close, and what this confirmed was that -- the  
6 operational confirmed that the FRI data was in effect a  
7 fairly reliable and accurate basis. Therefore the  
8 Ministry can assume that other stands that have the FRI  
9 data will be very similar and accurate in their  
10 presentation.

11 The stand characteristics at the lower  
12 section indicate the age, which is there (indicating),  
13 140 years. This is based on a diameter type of thing,  
14 it is very difficult to determine the age of a hardwood  
15 tree with an increment bore.

16 Q. I am sorry, with which?

17 A. An increment bore. This is a method  
18 of determining tree ages by taking a sample of the core  
19 and it is very difficult in a hardwood to do that.

20 The height was estimated, stocking and  
21 site classes were determined as a result of field data  
22 that was done by FRI. Under the operational cruise, we  
23 just show N/A, non-applicable because basically it is  
24 the same thing.

25 Q. When was the operational cruise data

1 compiled?

2 A. The operational cruise was taken --  
3 was done by the Ministry's Bracebridge district in 1979  
4 in preparation for their timber management planning  
5 operating -- five-year operating plans.

6 Q. And are the species indicated in  
7 Table 1 in your view representative of the species  
8 distribution in fact present in the case study area?

9 A. Yes, yes.

10 Q. All right. And I'm sorry, just to  
11 make sure that I am reading this correctly. Dealing  
12 with the operational cruise data, when it indicates  
13 percentage of the stand hard maple being 60 per cent,  
14 what parameter is that discussing?

15 A. That's based on the basal area, a  
16 term I will be describing very shortly to the Board.

17 Q. Is that a reflection of stocking?

18 A. It is a reflection of stocking,  
19 that's correct.

20 Q. Thank you. Now, you have indicated,  
21 Mr. Murray, that with reference to how you have defined  
22 the case study area that it was related to the area of  
23 G.W. Martin's operations in 1986.

24 Could you outline for the Board what time  
25 frame is involved in the timber management activities

1 described in this case study?

2 A. Yes. It was in 1986 that the  
3 activities took place, in July, August of 1986, late  
4 July and August of 1986.

5 Q. All of them, all of the activities?

6 A. All of the activities, that's  
7 correct.

8 Q. All right. And then in a summary way  
9 could you outline for the Board what the organizational  
10 structure of G.W. Martin was at the time in 1986?

11 A. I just want to make one small  
12 correction. When you said all of the activities, there  
13 were some preliminary work done on road access in the  
14 fall of 1985, but that was kind of a pre-survey type of  
15 work.

16 Q. Fine.

17 A. As to the organizational structure of  
18 G.W. Martin, yes, again I would like to refer the Board  
19 to Figure 7 on page 17 and I do have an overhead of  
20 that one as well.

21 This is the structure as it existed at  
22 the time of the case study operation in 1986. It is a  
23 fairly basic organizational structure, and the general  
24 manager, which is located at the top box, chief  
25 forester was not a resident in the Huntsville area, he

1 was at their head office but he did negotiate or  
2 inter-relate with the Ministry and gave direction to  
3 the operations.

4 Coming down to the Hunstville Division,  
5 we have a logging superintendent who was responsible  
6 for the operation on the case study area and he was --  
7 he had responsible to him four people, a road foreman,  
8 a cut-and-skid foreman, a haul foreman and a log  
9 purchaser.

10 The logging superintendent at the time of  
11 the case study was a new person that G.W. Martin had  
12 brought to the operation, but the four people who  
13 filled the other positions were ex-Weldwood of Canada  
14 employees with a total of over 120 years in experience.

15 The other point that I would like to make  
16 is that as this is a relatively small operation  
17 compared to those which the Board has been seeing in  
18 the boreal. The range of responsibilities between the  
19 four people in the foreman classification was very  
20 broad and you can have your road foreman actually  
21 performing a haul foreman's task and responsibility.  
22 These were their specific responsibilities, but they  
23 did interact and were all capable of doing any  
24 particular job at any time and the interaction was an  
25 important part of their pool of knowledge.

1 Q. Thank you very much, Mr. Murray.

2 A. I would make one point too. As this  
3 is located so close to Huntsville, 32 miles, it was a  
4 commuter operation and there was no infrastructure  
5 necessary for the operation people, they commuted from  
6 the vicinity of Huntsville.

7 Q. Could you describe then -- I'm sorry,  
8 I will wait until you get the overhead off.

9 Could you describe then for the Board,  
10 Mr. Murray, in general terms what the timber management  
11 options were for this case study area?

12 A. Yes. The timber management options,  
13 and as the Board has heard in the past evidence there  
14 are three specific silvicultural systems available;  
15 there is the clearcut system, shelterwood which  
16 includes strip and uniform, and the selection system  
17 which also can be group and single. Three group trees,  
18 single tree.

19 The options available to the timber  
20 manager in this case of course, as this is on a Crown  
21 management unit and the G.W. Martin was operating under  
22 an Order-in-Council licence, the timber manager is a  
23 Crown employee and he is the timber management unit  
24 forester. He was guided by the ground rules or  
25 silvicultural rules and by that information included in

1           their silvicultural guidelines.

2                           Q.   Which guidelines are you referring  
3           to, Mr. Murray?

4                           A.   These are the guidelines which have  
5           been included in the MOE Interrogatory No. 1 which was  
6           I believe Exhibit 1104 in Question No. 1.

7                           Q.   And just looking at that  
8           interrogatory for the moment, please, could you explain  
9           to the Board what it is that has been provided in terms  
10          of case study 4E?

11                          MS. CRONK:   That, Madam Chairman, is the  
12          first interrogatory in Exhibit 1104.

13                          MR. MURRAY:   Unfortunately the print is  
14          very difficult to read.   This is Table 10 from the  
15          Bracebridge management unit and on the first page, it  
16          is difficult to see, the left-hand column indicates  
17          hard maple and the proposed working group is tolerant  
18          hardwood and under the harvest it indicates the basic  
19          information that guides the timber manager and I will  
20          be describing that and I won't ask you to try and read  
21          that difficult print.

22                          MS. CRONK:   Q.   And what is Table 10  
23          from?

24                          MR. MURRAY:   A.   Table 10 is from the  
25          timber management plan of the Bracebridge management

1 Unit.

2 Q. Did Table 10 entitled Algonquin  
3 Region Silvicultural Guidelines apply to the case study  
4 area?

5 A. Yes, they did. The information in  
6 that guideline, and also that would be available to the  
7 timber manager, indicates three criteria that are  
8 necessary to identify the proper system in use and  
9 these criteria: First, that it must be a maple working  
10 group; secondly, that there must be adequate advanced  
11 regeneration on the area; thirdly, that there must a  
12 good range of age classes in the area; and, fourthly,  
13 that there must be an adequate basal area of quality  
14 trees.

15 And I would like to describe for the  
16 Board - and I use the term basal area quality trees, I  
17 am sure the Board is familiar with both these terms -  
18 but just to refresh your memory, the term basal area is  
19 a term used in forestry to describe the stocking of the  
20 stand and it is in effect the cross-section of a tree  
21 measured in square feet and I will ask the Board's  
22 indulgence to allow me to use the Imperial as opposed  
23 to the metric system because it is all relevant to me  
24 only in the Imperial.

25 As an example, basal -- in a tree of 13

1 1/2 half inches would have the basal area of one square  
2 foot, therefore, if there are 100 trees 13 1/3 inches  
3 on an acre, it would have a basal area per acre of 100  
4 square feet.

5 However, trees don't all grow -- become  
6 13 1/2 inches and a range of diameters will help  
7 explain something I am going to mention shortly.

8 It would take 180 -- approximately 180  
9 trees one inch in diameter to give you a basal square  
10 foot basal area. It would take 11 trees four inches in  
11 diameter to give you one square foot of basal area, but  
12 a 24-inch tree - and this is measured, I should have  
13 said, diameter at breast height, the term you probably  
14 are familiar with - that would give you a basal area of  
15 3.14 square feet. So it's quite a range as you can  
16 see. And the term basal area without definition or  
17 with regard to diameter is only a guide not a total  
18 package.

19 The other point I mentioned was the  
20 quality of tree and, again, this is a critical part of  
21 the determination and the implementation of the  
22 silvicultural system, and I refer the Board to Table 2  
23 on page 11 of case study 4E.

24 Firstly, again this is a rather basic  
25 table and perhaps if you would refer -- go back to page

1           10, it is summarized at the top of that page. You will  
2           note that there are four classes of trees, quality  
3           classes of trees that run from A to D and the easiest  
4           thing to say is that a class A tree is perfect and a  
5           class D tree is alive, and that's about all you can say  
6           for it, it's a poor quality tree with a large number of  
7           visible and invisible defects.

8                       Q. What then, Mr. Murray, were the  
9           management objectives for this case study area?

10                      A. The management objectives were set by  
11           the timber management unit forester and what he was  
12           looking for was to establish an ideal forest for  
13           maximum quality growth.

14                      As part of obtaining the ideal forest, he  
15           would be looking to and would intend to maintain an  
16           overstorey at all times with to all living trees, he  
17           would be looking for a 20-year cutting cycle, he would  
18           be looking to improve the quality of the trees in each  
19           ensuing cutting cycle, he would be looking for  
20           diameter, a desirable range of diameters that would  
21           allow the 20-year cutting cycle and he, of course, is  
22           looking at the potential use of other users of the  
23           area.

24                      Q. Well, what system was in fact  
25           selected for this case study area?

1                   A. The system selected was the selection  
2 system, selection harvest -- management system,  
3 silvicultural system.

4                   Q. All right. And what do you mean when  
5 you refer to the timber manager working towards an  
6 ideal forest?

7                   A. I think I can best describe that by  
8 using first an overhead and then a slide. The overhead  
9 I will use is Figure 5 from page 14 of the case study.  
10 It is known as a J curve. I will put that slide up.

11                   This is taken from Figure 5 in the case  
12 study and it was developed by the Ministry of Natural  
13 Resources researchers to give guidance to the timber  
14 manager in the Great Lakes in the tolerant hardwood  
15 region and basically what it indicates to us what there  
16 should be in the ideal forest, and this is titled:  
17 Ideal Residual Stand Structure for Selection Management  
18 for a 20-year Cutting Cycle. The residual means after,  
19 after treatment. So this is what ultimately the timber  
20 manager is attempting to get, a range of diameters with  
21 a good number of trees.

22                   What we have of course on the left-hand  
23 side is the number of trees per acre and indicating 10,  
24 20, 30, 40, 50, 60; on the bottom Y are the two-inch  
25 diameter classes 4 1/2, 6 1/2, 10 1/2, et cetera, up to

1        22 1/2. And a graph like this is obtained by plotting  
2        the number of trees by diameter class per acre. And  
3        this is the ideal that the manager is looking to  
4        attain. And I am going to put a slide on now.

5                    Q. Just before you do that, Mr. Murray,  
6        with respect to this figure, Interrogatory No. 30  
7        delivered by the Ministry of the Environment asked for  
8        an explanation as to how the ideal residual stand  
9        structure for selection management was determined and  
10       the rationale for choosing this structure. Can you  
11       assist the Board as to the response to that?

12                   A. Well, yes, briefly. The rationale  
13       for developing it was based on research work which  
14       originated basically in Europe and was developed  
15       further by foresters -- research foresters of the  
16       United States Department of Agriculture in the area of  
17       the Great Lakes/St. Lawrence Forest region which lies  
18       south of the border in their attempts to develop ideal  
19       growing criteria.

20                   As management developed in Ontario  
21       local -- the Ontario Research Branch of the Ministry  
22       developed data from local information to attain a  
23       curve, the result of which you see based on local  
24       information. That basically is what I replied in the  
25       interrogatory.

1                   There was another question too, another  
2                   interrogatory I believe that the Board might be  
3                   interested in, it was the Forests for Tomorrow  
4                   Interrogatory, I believe 30(a) which was submitted as  
5                   a - how do I call it - it was late in getting it in.

6                   Q. Well, perhaps you could put the  
7                   interrogatories just in front of you then, Mr. Murray,  
8                   and explain to the Board what is contained in Forests  
9                   for Tomorrow -- what the nature of the question was in  
10                  Interrogatory No. 30 and then the responses provided to  
11                  30 and as supplemented in 30(a).

12                  MS. CRONK: Sorry, Madam Chair, that is  
13                  Exhibit No. 1103.

14  
15                  MS. MURPHY: Yes, just briefly. In  
16                  Exhibit 1000 --

17                  MS. CRONK: Sorry, Mr. Murray.

18                  MR. MARTEL: Interrogatory...?

19                  MS. CRONK: Interrogatory No. 30 from  
20                  Forests for Tomorrow and 30(a), Mr. Martel, in Exhibit  
21                  1003.

22                  MR. MURRAY: Question 30 from Forests for  
23                  Tomorrow asked us to supply -- kindly provide a graph  
24                  showing the diameter distribution of the original stand  
25                  to the ideal. We were unable to at the time of the

1       interrogatory reply to it because we didn't have the  
2       data from the Ministry and it was questionable as to  
3       whether we could get it.

4               However, they have subsequently supplied  
5       the data and we have replied with the 30(a)  
6       interrogatory and if you refer to that, the graph  
7       stated comparison of original stand structure, case  
8       study 4E, FRI type 418, et cetera.

9               You will note there are two curves on  
10       that graph. The one similar to the overhead that you  
11       see is the ideal and the case study area graph is a  
12       series of straight lines joining circles. What this  
13       indicates is that the stand of the case study was not  
14       ideal, as would be expected, but that it is a very good  
15       candidate for management purposes and this would  
16       reinforce the decision of the timber manager to apply  
17       the selection management system of course.

18              MS. CRONK: Q. Is it common or uncommon  
19       in this part of the area of the undertaking to achieve  
20       the ideal residual stand structure depicted in Figure  
21       5?

22              MR. MURRAY: A. It's uncommon to have a  
23       stand that would originally appear as Figure 5. It  
24       takes several cutting cycles to reach that standard of  
25       ideal structure.

1                   Q. And after treatment is it common or  
2 uncommon to achieve that kind of a residual stand as  
3 depicted in Figure 5?

4                   A. It will -- again, as I will explain  
5 shortly if I can by using a slide, I think I can just  
6 explain to the Board. It will take a while.

7                   Q. Thank you.

8                   A. This is slide 3.2 and it's actually  
9 Figure 6 page 15 in the case study.

10                   What we have here is a schematic  
11 depiction of a forest, an ideal forest and just to  
12 understand basically what it is, we have on the left --  
13 this is the basal area in square feet per acre running  
14 up to -- zero to a hundred I believe it is. On the  
15 bottom is a graph of years. So what each of these bars  
16 refers to is a year in the forest life.

17                   And the forest is a very dynamic entity,  
18 it grows and each year growth is added to the trees or  
19 the area, and it has been determined by the researchers  
20 of Ontario in the tolerant hardwood that they can  
21 expect in a 20-year cutting cycle - and, as I  
22 mentioned, that is the objective of the manager - in a  
23 20-year cutting cycle they are going to put on 38  
24 square feet of basal area in that 20-year period, and  
25 so at the end of 20 years they will have reached a

1 level of very close to a hundred square feet of basal  
2 area.

3 It would be actually 98 I guess in the  
4 case, they started at 60 and they put on 38 square  
5 feet.

6 Q. Is that per acre, Mr. Murray?

7 A. That's per acre, that's correct.

8 Then at the end of 20 years the unit forester will have  
9 prescribed a harvest and they would take that 38 square  
10 feet of growth and they would remove it as the harvest,  
11 and you start back again, and this goes on in  
12 perpetuity.

13 The idea of rotation, as you understand  
14 it, is not exactly the same in the selection system.  
15 The management unit forester would assume a level of  
16 tree maturity, in the case of maple it generally is a  
17 120 years, so you would have six of these in the life  
18 of a tree from its seedling to its harvesting point.  
19 This is the ideal type of forest, the one that the  
20 manager is attempting to attain.

21 Q. With that then in mind, Mr. Murray,  
22 could you explain to the Board what the specific actual  
23 objectives were for the case study area?

24 A. Yes. We have to talk about numbers  
25 to get the objective. The unit forester was using the

1 guidelines that we previously mentioned, was given the  
2 option to set a range of basal area objectives and what  
3 he has done is this: He chose the residual basal area  
4 of trees four inches and up, the residual, that will be  
5 what is left after the harvest, between 60 and 80  
6 square feet basal area per acre. The 60 of course was  
7 related to the graph you just saw, that was the  
8 objective that he's aiming for.

9 The class quality trees, I mentioned  
10 quality trees, these of course are the trees which will  
11 be useful for the mills and the quality is the  
12 objective, and so he's looking for a residual basal  
13 area of four inches and up or 40 to 60 square feet in  
14 that, again the range process. And finally his  
15 objective was all trees 10 inches and up, because this  
16 gives him an indication of what the harvest could well  
17 be in the future in the way of tree size, and that  
18 would be 50 to 60 square feet of basal area.

19 Q. All right. Dealing with the 60 to 80  
20 square feet basal area range, to what type of trees was  
21 that to apply?

22 A. That would apply to all trees.

23 Q. And the 40 to 60 square feet basal  
24 area?

25 A. That applies only to quality class A

1 and B trees.

2 Q. And finally the 50 to 60 square feet?

3 A. And the 50 to 60 is 10 inches and up  
4 at diameter breast height and that is to all trees.

5 Q. And can you help us, Mr. Murray, as  
6 to what role if any tree marking plays in this process  
7 of achieving objectives of this kind?

8 A. Yes. The forest manager has to  
9 use -- to implement his objectives he has to use the  
10 tool of tree marking and I am sure the Board is  
11 familiar with this, it's the identification of trees  
12 with little dots that will be harvested.

13 The tree marker is going to follow the  
14 directions of the prescription from the timber  
15 management unit forester and we have in the case study  
16 referred - if you refer to page 38, Appendix 1 in the  
17 case study - this is a generic prescription to the tree  
18 markers and it identifies, the trees will be cut with  
19 yellow marker -- yellow paint, it identifies -- and I  
20 should mention too, that the Board -- this was an  
21 errata that was submitted, I assume the Board has the  
22 correct one, the correct one will have small squares  
23 marked around the series of numbers in the appendix.

24 MS. CRONK: Madam Chair, Exhibit 1102  
25 contains the errata to this table.

1 Q. These then are as appears from the  
2 title the type of directions that are provided to tree  
3 markers?

4 MR. SQUIRES: A. That's correct. They  
5 would vary within it by forest, but basically these are  
6 the types. And, as I say, they identify the priorities  
7 to the markers, they identified the objectives in  
8 numerical objectives.

9 Q. All right. Well, without going  
10 through the specifics as appears from Appendix 1, can  
11 you just describe to the Board what the consequences of  
12 this tree marking function can be in achieving these  
13 types of objectives?

14 A. Yes. Again I think I can put some --  
15 three slides which I think will give a good indication  
16 of this. These are referenced on page 30 of the case  
17 study, slides 7.1.

18 This is slide 7.1. Again it's taken in  
19 an area adjacent to the case study. It's one week  
20 after harvesting and what can be seen, the mature trees  
21 that are left, ranges of them, some slash from the  
22 harvest, and some of the greenery will be from advanced  
23 regeneration. It's difficult to tell from that  
24 photograph specifically what it would be, but that is  
25 one week following harvesting.

1                   The second slide I have is slide 7.2.  
2           This is two years after harvesting, and what we have  
3           here is an opening which would be a result of a slight  
4           modification that the markers had made. This would be  
5           a group selection as opposed to a single tree. The  
6           group selection in some cases because of the  
7           circumstances of the tree they will take a little  
8           larger opening. You can see in the centre of the slide  
9           a stump and surrounding it is very good evidence of  
10          regeneration. That will be almost all maple  
11          regeneration and it's very prolific and there will be  
12          literally hundreds of young trees developing there.  
13          Two years they start to grow.

14                   And this is slide 7.3 and this is seven  
15          years later - not the same site by the way - but here  
16          you can see the advanced regeneration coming along very  
17          well. The ground cover is growing rapidly. We have  
18          some other species that have come in, that's a balsam  
19          fir there, there undoubtedly will be some other  
20          species, it's typical, they could be beech, could be  
21          yellow birch, but this is the result of the harvest  
22          selection and the openings created in the cutting.

23                   Q. And in each case, in each of those  
24          three photographs, Mr. Murray, what harvesting system  
25          was used?

1                   A. These are all a result of the  
2 selection harvesting system.

3                   Q. All right, thank you. Just on that  
4 slide, is there any maple in that photograph?

5                   A. Yes, that is a maple tree right  
6 there.

7                   Q. You are pointing to the left?

8                   A. Pointing to the left, a large  
9 straight tree. I suspect that that is as well.  
10 It's -- this is a good quality tree. From standing  
11 here I would say it was a class A or B class tree.

12                   The bulk of that regeneration is probably  
13 young maple, it is difficult to tell, but that is what  
14 it looks like, and it would be maple that at the time  
15 of harvesting would probably have been eight or 10 feet  
16 in height and it's now surging ahead quite well.

17                   The other material, the other  
18 regeneration at the time of harvest was probably just  
19 seedling size.

20                   Q. Thank you. Could you turn then to  
21 the actual timber management activities in the area,  
22 and once again as your colleagues have, could you deal  
23 first with access and could you outline to the Board  
24 please what the access circumstances were with respect  
25 to this case study area?

1                   A. Yes. I am going to use a series of  
2 overheads which are components of a figure in the case  
3 study, Figure 8 on page 19. It's a rather busy looking  
4 exhibit and I can -- the figure and I think the  
5 overheads will give a good appreciation of what I am  
6 trying to say.

7                   This is the first overlay I am placing.  
8 This is a section of a timber management map from the  
9 Bracebridge Management Unit, it's Bethune Township and  
10 what we see here is a section of that map that  
11 encompasses the case study area.

12                   The area on the left with the  
13 cross-hatching is private land, freehold land, in fact  
14 property that was in effect held by Weldwood of Canada  
15 prior to this case study. Up in the right-hand side is  
16 also private land.

17                   The blue areas are lakes and the green  
18 area is identified as type 418 of which the case study  
19 is a portion.

20                   The classification systems, as we  
21 mentioned before, are seen on that and the scale of one  
22 kilometre down at the bottom gives some perspective to  
23 the extent of the area.

24                   Q. Is the green area all case study area  
25 or just case study area type?

1           A. It's just case study area type, and  
2 my next overlay will define that.

3           What I have just placed on is an overlay  
4 of the actual, what I call the case study area. The  
5 cross-hatched red lines, and is surrounded by the red  
6 boundary was the area of the case study, was the area  
7 of timber activity by G.W. Martin. The actual case  
8 study is the area in green and covered by the  
9 cross-hatching.

10          Now, what I have now added is the access  
11 portion of it. These were the roads that were in  
12 existence or built for the case study or beyond the  
13 case study. The dark -- the red road at the bottom of  
14 the overlay with the black boundary was a primary  
15 access road that had been constructed by Weldwood of  
16 Canada in previous years, '83 and '84.

17          The red lines throughout the area of the  
18 case study were tertiary roads that were constructed by  
19 G.W. Martin to access the case study and there were 4.8  
20 kilometres of road built in that area. The black dots  
21 that you see are areas called landings for the  
22 harvesting operations.

23          And what I have added now is an overlay  
24 showing the options that were considered for  
25 construction of the tertiary access roads. And I

1 should just add the final overlay.

2 Q. I think it moved.

3 A. What I just added was the  
4 identification of the options. There were three --  
5 four options in total; 8A, B, C and D. The options are  
6 considered in the area of the case study because of the  
7 fact that it is an area -- although there are tertiary  
8 roads, it is an area that is heavily used for  
9 recreation, et cetera, plus there are many other  
10 considerations.

11 And I would like to mention that I am  
12 going to be also on the access panel which will be  
13 presenting evidence very shortly and I will be using  
14 these overlays to describe in more detail the reasons  
15 for the options and why the options were selected.

16 Q. So just so that I understand at this  
17 point then, Mr. Murray, the red hatched lines indicate  
18 possible access road options or alternatives that were  
19 considered but not selected?

20 A. That's correct, yes.

21 Q. And the full red lines indicate the  
22 tertiary roads that were in fact -- the location of  
23 which was actually selected and the roads as actually  
24 built?

25 A. That's correct, yes.

1 Q. All right, thank you. What do G1 --  
2 on the copy of Figure 8 in the case study that I am  
3 looking at there is a G2, it's a little hard to see on  
4 that.

5 A. That's correct, G2.

6 Q. What do they indicate?

7 A. Those were gravel -- locations of  
8 gravel pits and, as I will be mentioning, you know,  
9 it's very critical in constructing roads to find  
10 available gravel because it's necessary for the  
11 operations to have a gravel access road.

12 Q. And were those gravel pits used to  
13 provide access to this case study area?

14 A. Yes, they were.

15 Q. All right.

16 MADAM CHAIR: Mr. Murray?

17 MR. MURRAY: Yes.

18 MADAM CHAIR: Are you telling us that  
19 G.W. Martin was only required to build 4.8 kilometres  
20 of tertiary roads and no secondary or primary roads for  
21 access?

22 MR. MURRAY: That's correct, yes.

23 MS. CRONK: Madam Chair, Mr. Murray  
24 indicated the various overlays that you see are  
25 segregated parts of Figure 8 and because the colouring

1 on the overlays is slightly different, the hatching,  
2 than Figure 8 we have photocopied and, if you wish, you  
3 could have that as another exhibit, but I wanted the  
4 parties to have it so they had a hard copy of what Mr.  
5 Murray did.

6 MADAM CHAIR: I think the Board will use  
7 the exhibit.

8 MS. CRONK: That is fine, thank you.

9 MR. MURRAY: Ms. Cronk, I have a slide as  
10 well which I would like to just put on, it's slide 8.1.

11 MS. CRONK: Q. I am sorry, what is that  
12 number, Mr. Murray?

13 MR. MURRAY: A. Slide 8.1.

14 Q. I think that is actually 5.1, Mr.  
15 Murray. Is that the one that you wish?

16 A. Yes, I am sorry, this is 5.1. It's  
17 referenced at page 20.

18 Q. Thank you.

19 A. This slide is a visual depiction of a  
20 tertiary road that would be typical as that found on  
21 the case study area. It's got a very basic  
22 right-of-way clearance, it's gravelled and it's a very  
23 low standard of road to access the timber, but it is a  
24 gravelled all-weather road. Again I will be describing  
25 some of the -- or the techniques and construction in

1 the access panel.

2 Q. Mr. Murray, is that road depicted in  
3 this photograph representative or unrepresentative of  
4 the tertiary roads actually built by G.W. Martin for  
5 this case study?

6 A. It's very typical and, in effect,  
7 could have been a picture taken right on the site and I  
8 can guarantee that.

9 Q. All right, thank you. Could you turn  
10 next then to harvest please, Mr. Murray, and indicate  
11 for the Board, if you would please, what options were  
12 available in terms of harvesting methods under this  
13 system and what in fact was done?

14 A. The harvesting aspect of the case  
15 study considered a three -- could consider the three  
16 possible methods available; the tree-length, log-length  
17 and full-tree system harvesting methods. In the Great  
18 Lakes/St. Lawrence area generally speaking the log  
19 length and the tree-length are the type used because of  
20 the nature of selection management.

21 In the summer of -- the operation of  
22 course took place in the summer of 1986, as I  
23 mentioned, and the volume harvested approximated  
24 394,000 board feet of sawlogs from that operation.

25 Q. When you say that operation, what do

1           you mean?

2                   A.   By that I mean from the case study,  
3           I'm sorry, from the case study specifically as was  
4           depicted in the slide -- the overlay, that was the  
5           volume estimated to have come from that area.

6                   Q.   And as between the tree-length and  
7           log-length methods, which was selected for the case  
8           study area or were both used?

9                   A.   The tree-length method was selected.  
10          The logging operation was in effect carried out by  
11          articulated rubber tired skidders and manual felling  
12          and the trees were manufactured into logs at the  
13          landings. As I indicated the black dots were the  
14          landing sites.

15                  Q.   We have heard from the other panel  
16          members how much timber was harvested measured in cubic  
17          metres from their case study areas. Can you help me as  
18          to how I should equate that amount of board feet of  
19          timber to cubic metres, 394,000 board feet?

20                  A.   394,000 board feet, that would be  
21          2,168 cubic metres.

22                  Q.   And how was that timber used once  
23          harvested?

24                  A.   The material all went to the G.W.  
25          Martin mill in Huntsville where it was scaled and

1 sorted. The high quality veneer logs were taken to the  
2 G.W. Martin veneer mill near North Bay, Rutherglen.  
3 The other logs were processed at the G.W. Martin mill.  
4 This mill was built originally in 1970 by Weldwood of  
5 Canada and was a state-of-the-art hardwood  
6 manufacturing facility at the time.

7 It had basically a double-cut -- hardwood  
8 double-cut band saw, a horizontal re-saw and Canadian  
9 trimmer and it was capable of producing between 30- and  
10 35,000 board feet per shift or 50- to 60,000 thousand  
11 board feet of lumber per day and the mill operated on  
12 two shifts. And that again, Ms. Cronk, is 275 to 330  
13 cubic metres which means nothing to me.

14 The mill itself in a year would use over  
15 200,000 logs and in producing those logs they would  
16 have come from a selection area of over 11,000 acres,  
17 not all necessarily from Crown.

18 The sources of material for this mill  
19 were basically 5 per cent from private land, that was  
20 company owned land, 26 per cent from purchasewood -  
21 it's a very important part of the wood supply in that  
22 area as it is in much of the Great Lakes/St. Lawrence  
23 area - the purchasewood supply was 26 per cent, the  
24 Crown management unit that the case study took place on  
25 would take 28 per cent or supply approximately 28 per

1 cent, and the last element of component of supply would  
2 be the Algonquin Forestry Authority where G.W. Martin  
3 operated as a third party and that would be 41 per cent  
4 of the total wood supply.

5 The products that would develop from the  
6 sawmill quite quickly were quality hardwood maple -  
7 maple being the primary specie - which would be turned  
8 into ultimately furniture, specialty items, pallets for  
9 flooring, chips developing from the -- byproducts would  
10 be sent to one of three pulp mills and actually to a  
11 shingle manufacturing plant, about 120 tonnes a day  
12 were produced in those, and the sawdust would burn in  
13 not only the G.W. Martin boilers but it was sold to be  
14 burned in boilers in a plant in North Bay as well.

15 The products developing are an important  
16 part of the function of the plant and the quality is  
17 very important and it is a concern that the quality of  
18 logs be maintained and produced in producing the  
19 products required and ultimately that is the objective  
20 of the timber management forester, to get a quality log  
21 available.

22 Q. When you make those last comments,  
23 Mr. Murray, are you describing conditions as they then  
24 were in 1986 or as they are today or both?

25 A. The conditions as they were in '86

1           basically is what I was describing.

2                   Q. All right. And are those still the  
3 objectives today?

4                   A. Yes, they are.

5                   Q. Could you then next describe for the  
6 Board, if you would please, what was done on this case  
7 study area in terms of renewal activities?

8                   A. The renewal - and again the reference  
9 to Table 10 of the timber management plan - is that for  
10 this type of silvicultural system, in a maple working  
11 group renewal is natural regeneration, advanced  
12 regeneration.

13                   I know the Board has heard at some length  
14 the silviculture or the silvics of various species.  
15 Maple is one which is very tolerant as Mr. Waddell  
16 explained and it is one in which the regeneration will  
17 establish itself under heavy crown closure, will exist  
18 for extended period of time and once the stand has  
19 opened up, the regeneration will take off so to speak.  
20 So the renewal portion of the operation was an integral  
21 part of the harvesting operation.

22                   Q. And are the provisions for natural  
23 regeneration to which you referred contained in the  
24 Algonquin region silvicultural guidelines?

25                   A. Yes, they are, they indicate that.

1 Q. And with respect to the activity of  
2 tending, was any tending done on this case study area?

3 A. Tending, as it is understood in the  
4 sense of the boreal, not really. Tending is another  
5 situation where it is an integral part of the harvest  
6 in this particular case study area and, generally  
7 speaking, in much of the tolerant hardwood area.

8 The tending that actually took place  
9 could more appropriately be called perhaps a stand  
10 improvement project. The timber management unit  
11 forester in writing this prescription identified that  
12 many of the low grade trees would be removed and the  
13 Board will remember it is the objective to increase the  
14 quality of the trees. So by removing these low grade  
15 trees you are in effect creating an improvement or a  
16 tending operation.

17 These trees are removed during the course  
18 of the operation, they are felled manually by the  
19 cutters and hopefully there will be a market for them  
20 and one of the prime markets is firewood and the bulk  
21 of the firewood produced of these low grade trees in  
22 the case study area ended up in the fireplaces of  
23 Toronto, I would imagine. G.W. Martin made this  
24 material available to an entrepreneur who manufactured  
25 it into firewood and sold it in the Toronto area.

1                   Q. Is there tending in the sense that  
2                   that term is recognized in the boreal forest, is there  
3                   tending of that kind carried out in the Great Lakes/St.  
4                   Lawrence Forest region?

5                   A. There will be, yes. It will depend  
6                   on the silvicultural system applied and of course the  
7                   tolerant hardwood maple working group is not the only  
8                   system in the Great Lakes. In fact there are  
9                   conditions where even tolerant hardwoods will be  
10                  clearcut -- prescribed for clearcut for the  
11                  silvicultural system, and I believe the Board visited a  
12                  site visit of a clearcut hardwood area in the Minden  
13                  District on their site visit. In those cases there  
14                  would be tending required either chemical or manual.

15                 Also in the shelterwood system of  
16                 harvest, and this is the one that's used primarily in  
17                 maple -- excuse me in pine, the shelterwood management  
18                 system, there could be tending required there to  
19                 control competing vegetation or to thin trees.

20                 Q. Can you illustrate for the Board the  
21                 type of trees removed in the tending that's undertaken  
22                 under the selection system as applied in this case  
23                 study area?

24                 A. I have a slide of an operation with a  
25                 class D tree.

1 Q. What slide number is that, Mr.  
2 Murray?

3 A. That's slide No. 8.1. It is  
4 referenced on page 30 in the case study.

5 This slide depicts an operation -- in the  
6 process of operating. The tree in the foreground is a  
7 cull maple tree, it was a class D tree. It was alive  
8 but totally defective. The hardwood is gone and the  
9 residual material would be inadequate to supply and to  
10 use in a sawmill.

11 So this tree is a type of tree that was  
12 removed and what obviously it is going to do is by  
13 removing this large tree these good quality young maple  
14 trees in the eight to 10-inch diameter range in the  
15 background are going to accelerate in growth quite  
16 rapidly.

17 That tree that is depicted there would be  
18 skidded out and hopefully be utilized for firewood.  
19 This is a good illustration of a cut area, the range of  
20 diameters can be seen and it is typical of a harvest  
21 operation in this selection system.

22 Q. Now, Mr. Murray, recognizing that  
23 this is not an FMA area but rather a Crown management  
24 unit area, are there fifth -- well, are there stocking  
25 assessment results fifth-year or otherwise available on

1 this area?

2 A. There are no fifth-year assessments  
3 that I'm aware of. There are some results though and  
4 I have an overhead which I could describe the results  
5 on. The reason the --

6 Q. First of all, what are the nature of  
7 the results and then could you outline for the Board  
8 what they are?

9 A. Well, the results were based -- they  
10 are based on what's called a post-cut cruise done by  
11 the Ministry of Natural Resources in the winter of 1989  
12 and the results from that are depicted on page 32,  
13 Table 7 of the case study, and I do have an overhead  
14 which I will put on.

15 MS. CRONK: Again, Madam Chair, this  
16 table was dealt with in the errata as well, so the  
17 Board may find it useful to have the errata before you  
18 when you look at this table.

19 MR. MURRAY: Table 7 in the case study.  
20 The errata has been -- this is the correct one, it's  
21 boxed off. What we have here and again I am going to  
22 speak in terms of Imperial measurement and that's on  
23 the right-hand side of the chart.

24 This was a comparison post-cut survey  
25 results with treatment objectives on the case study

1 area. It is in basal area which is square feet. We  
2 have on the left-hand side of the right-hand set of  
3 figures an ideal and we have the actual in square feet  
4 per acre four inches and up.

5 So the first meaningful numbers we have  
6 under all trees, the objective was 60 to 80 square feet  
7 of basal area and the actual attained was 67.5. So the  
8 the actual was in excess of -- it is in the range of  
9 most desirable.

10 The class A and B trees and these other  
11 quality trees objective was 40 to 60 square feet and  
12 the actual was 39.1 which is slightly below but within  
13 an acceptable level of course of the objective.

14 And finally, all trees, and this is 10  
15 inches and up, the objective was 50 to 60 square feet  
16 and the actual was 49.2 square feet. Again slightly  
17 below but well within an acceptable level of  
18 attainment.

19 MS. CRONK: Q. And I'm sorry, when were  
20 these post-harvest surveys taken or compiled?

21 MR. MURRAY: A. These were taken in the  
22 winter of 1989, so that's about three years following  
23 the actual -- undertaking the actual activity.

24 Q. In your --

25 A. They were done by the Ministry at the

1 request of the company to supply them with some data  
2 for this case study.

3 Q. All right. And in your experience,  
4 Mr. Murray, looking at the results as reflected on  
5 Table 7, would you expect them to change in any way in  
6 the future with the passage of time?

7 A. Well, it is the objective of the  
8 manager of course to improve the quality of the stand  
9 and, yes, they will change. And I have a graph or  
10 another overhead which I think I can describe for the  
11 Board what will happen I think in the future.

12 Q. All right, thank you.

13 A. What I have placed on here - and this  
14 is Figure 9 from the case study, I'm not sure which  
15 page it's on.

16 MS. CRONK: That's page 34, Madam Chair.

17 MR. MURRAY: Page 34. This is another  
18 schematic of a projected forest growth and this one is  
19 particularly related to the case study. The  
20 information from the post-cut cruise was applied and  
21 the data to develop this projection was interpolated  
22 from Ministry information.

23 So what in effect we are showing here  
24 would be the projection of the manager for the future  
25 of that particular forest. And if I can just indicate

1 again on the left-hand side we have the basal area in  
2 square feet, on the bottom the years, and each vertical  
3 bar is a year of growth.

4 Now, what we have here where the line is,  
5 if you will remember the residual 10 inches and up was  
6 49.2 square feet, not quite the 50, however at the time  
7 of the measurement it would have been just about 50  
8 square feet. The growth for the 20-year period from  
9 the time of cutting was interpolated from Ministry  
10 information and it was felt that there would a growth  
11 of approximately 33 square feet of basal area in that  
12 20-year period. So that is shown on the top. Those  
13 are supposed to indicate the growth.

14 MS. CRONK: Q. And if I could just stop  
15 you there for a moment, Mr. Murray. Who prepared this  
16 schematic?

17 MR. MURRAY: A. I prepared it for the  
18 case study.

19 Q. Right. And when you said that the  
20 information contained in Figure 9 was interpolated from  
21 the post-cut cruise data provided by the MNR, who did  
22 that interpolation?

23 A. I did the interpolation on it, yes.

24 Q. All right. And what then are you  
25 saying you expect will occur at the end of 20 years

1 after the harvesting activity on this land?

2 A. Well, what we expect at the end of 20  
3 years will be another harvest and we can only expect  
4 that the timber manager at the time will project  
5 harvest in square feet of 22, something less than that  
6 full growth because it will be his objective to try and  
7 bring that forest stand to the normal ideal situation.  
8 And because of the fact that the stand was reasonably  
9 close to normal in the original status, it now is  
10 reasonable to expect that you can see 20-year cut and  
11 they will harvest 22 square feet. And that will bring  
12 it down from approximately 82 back to the 60 again.

13 So at the end of the next cutting cycle,  
14 which will be 2016 is it or something in there, you  
15 will have a stand which will have the ideal objective  
16 of 60 square feet and it will be free to grow then for  
17 the next 20 years at the projected 38 square feet and  
18 this would happen then on and on.

19 The only difference, these numbers don't  
20 indicate of course that the quality will be improving.  
21 Each year, each succeeding harvest the quality of the  
22 trees will improve as they remove more low grade and  
23 the higher grade trees will put on the annual growth.

24 Q. On what do you base your view, Mr.  
25 Murray, that in the term of the first cutting cycle,

1 the first 20-year period, that the basal area growth  
2 will be 33 square feet?

3 A. That's based on, as I say, an  
4 interpolation from Ministry information. They have  
5 included - and one of the references in the case study  
6 was a manual for timber marking in the Algonquin Park  
7 area - and they included a series of these stocking  
8 development projections from 30 square foot basal area  
9 up to the 60, and this 33 square foot is an  
10 interpolation of that information, assuming that it was  
11 a projection that could be used that way, which it was  
12 as far as I was concerned.

13 Q. All right. And dealing with  
14 generally the expectation as to achieving objectives of  
15 the desired residual basal area for an area treated in  
16 this fashion, could I ask you to go to Forests for  
17 Tomorrow Interrogatory No. 32 which has been filed with  
18 the Board, and could you explain please the information  
19 contained in the response to that interrogatory, the  
20 nature of the inquiry and then the response?

21 The very last one in the exhibit, Mr.  
22 Murray, Forests for Tomorrow, 32.

23 A. Yes. This exhibit, Question 32  
24 asked:

25 "How often are the objectives of the

1 residual basal area met?"

2 And the reply was --

3 "And what amount of the area does the  
4 company harvest by the selection method  
5 and what percentage of this is the total  
6 harvest."

7 The reply was that:

8 "To get an answer to this I had to  
9 contact the timber management manager at  
10 the Bracebridge Crown management unit and  
11 he indicated that they reach the residual  
12 basal area objectives 100 per cent of the  
13 time with an error of plus or minus 10  
14 per cent."

15 And we also indicated in the answer that:  
16 "90 per cent of the harvest would be by  
17 this selection system, and that is also  
18 the approximate percentage of the total  
19 harvest."

20 Q. All right. And then finally, Mr.

21 Murray, with respect to the result data that is  
22 available with respect to the case study area, can you  
23 illustrate for the Board what the current conditions  
24 are on the case study area?

25 A. Yes. I would do that with several

1 slides. I have two slides I think that can indicate  
2 that probably the best. Slide 9.3 referenced on page  
3 32.

4 This is slide 9.3 on page 32. What this  
5 is, is taken two years after harvesting and it's a  
6 stump in the middle, a maple stump, and what you see  
7 around it is again advanced regeneration that has shot  
8 ahead and it is moving ahead. The young trees such as  
9 the one on the left would have been there and would  
10 have been very similar at the time of harvesting, but  
11 the leaf outgrowth is significantly more than it would  
12 have been.

13 Each succeeding year the trees put out  
14 more leaves and that is what contributes to their rapid  
15 growth at the time. So that is a very typical type of  
16 illustration of a cut area several years after  
17 harvesting.

18 My next slide is slide 3.2 and I believe  
19 it is referenced on page 10. This is an aerial view,  
20 again this was taken in Algonquin Park in an area that  
21 would be very similar to the case study. It is taken  
22 two years after harvesting. Summer photograph of a  
23 tolerant hardwood working group. It is very difficult  
24 to tell that it has been harvested at all. I think I  
25 would suspect that these small openings here were

1 caused by tree removal of the trees in a kind of a  
2 group selection package, but generally it is a very  
3 uniform appearance and I feel that, you know,  
4 aesthetically it looks quite well from here anyhow.

5 Q. And how many years after harvesting  
6 was that taken?

7 A. That was taken two years after  
8 harvesting.

9 Q. Then finally, Mr. Murray, would you  
10 outline for the Board -- you don't need the slides any  
11 more, Mr. Murray?

12 A. No.

13 Q. All right, thank you. Could you  
14 outline for the Board, if you would please, what  
15 conclusions, if any, you feel should be based on this  
16 case study or what observations would you wish to  
17 provide to the Board about it?

18 A. Well, I have three conclusions that I  
19 would like to make. Firstly, it is difficult to  
20 identify an area that's been cut even after a few years  
21 and the area has an appearance of a natural forest.  
22 There would be projected an economically viable harvest  
23 in another 20 years on the selection system, and that  
24 the selection system using tree marking has been  
25 successful in obtaining the objectives would be, I

1 think, the conclusions I would draw.

2 Q. And what in your view are the  
3 significant features of this case study that in your  
4 view it would be useful to keep in mind as subsequent  
5 evidence is heard?

6 A. Firstly, it is the Great Lakes/St.  
7 Lawrence area. This case study is the only example of  
8 harvesting in the Great Lakes/St. Lawrence area. There  
9 were many small operators who do operate within that  
10 area because it is primarily on Crown management units  
11 and is the example of that being done and, therefore,  
12 since it is on Crown management units they are Crown  
13 foresters who are responsible for the management and  
14 tending and renewal and, in effect, responsible for  
15 everything except the harvesting themselves.

16 It is the maple working group which is a  
17 significant portion of the tolerant hardwood area,  
18 that's important to remember. The existing roads --  
19 the network of existing roads is there, because of the  
20 time period there is a good infrastructure of roads.  
21 It's close to a major population centre supplying -- it  
22 supplies work to people in the tourist areas and in the  
23 remoter areas of the Great Lakes/St. Lawrence area.

24 The selection management system was  
25 chosen, and I think that's an important point, and that

1 the criteria in the selection system used both basal  
2 area and tree quality and regeneration -- advanced  
3 regeneration as a criteria, that is basal area of the  
4 quality of class trees would be an objective of a  
5 minimum of 40 square feet and that would be the  
6 objective.

7 The harvesting I think takes place  
8 generally on smaller type operations, generally  
9 tree-length, generally with rubber tired skidders and  
10 that the post-cut data indicated projects a  
11 substantial -- would substantiate meeting the treatment  
12 objectives of the timber manager and there will be  
13 another viable harvest cut in the next 20 years.

14 MADAM CHAIR: Mr. Murray, can you  
15 pinpoint a time when marking became as precise a system  
16 as it is in the evidence you have just shown us?

17 MR. MURRAY: Yes. Going back, the first  
18 marking that I was involved with took place in  
19 Algonquin Park and it was in the late 60s or early 70s.

20 It was, as you suggested, not as precise  
21 as it is now because the data and the examples that I  
22 showed with regard to the research work that had been  
23 done was only beginning at that time in Ontario. As it  
24 exists and it did exist on the case study, that quality  
25 of marking would have -- has been in place for 12 to 15

1 years I would suggest.

2 The quality of the tree markers has  
3 improved significantly in those years. It has now  
4 become a profession. Generally they are technicians,  
5 sometimes they are professional foresters who are  
6 trained specifically and do take courses. I took a  
7 course myself on tree marking. And the Ministry has  
8 been very helpful in orienting industry people in this  
9 way too.

10 MS. CRONK: Q. Apart from your own  
11 personal -- the first time that you personally had any  
12 experience with tree marking, Mr. Murray, does the  
13 answer you have just given to the Board apply to your  
14 knowledge generally as to when tree marking became  
15 significant?

16 What I'm really asking is: Are you aware  
17 that any others were involved prior to yourself?

18 MR. MURRAY: A. Yes, there would have  
19 been some tree marking done prior to that on private  
20 land, the forestry management by Ministry, they were  
21 using tree marking I suspect for the last 40 years or  
22 so, although I'm not really clear on that.

23 But tree marking as a tool has been  
24 used -- well, the Europeans used it a hundred years ago  
25 and it's only in more recent years that it has

1 developed, firstly in the United States.

2 I do have had experience, I have seen  
3 forests in the United States which were marked in the  
4 30s, there is one, it is a tolerant hardwood in  
5 northern Michigan. It's owned by the Henry Ford Motor  
6 Company and was an excellent example of intensive  
7 management that our people have used as the model in  
8 some cases.

9 MS. CRONK: Thank you, madam Chair, Mr.  
10 Martel. Do you wish to rise for lunch now?

11 There is of course one case study  
12 remaining, but Mr. Murray's evidence, subject to any  
13 questions from you, is complete at this stage.

14 MADAM CHAIR: We will rise for lunch. It  
15 is ten after twelve, we will be back at 1:40.

16 MS. CRONK: 1:40. Thank you.

17 ---Luncheon recess taken at 12:10 p.m.

18 ---On resuming at 1:40 p.m.

19 MADAM CHAIR: Please be seated.

20 MS. CRONK: Q. Mr. Waddell, just before  
21 we come to the last case study, there are two other  
22 matters to which I would like to return.

23 Mr. Roll, if I could, could I ask you to  
24 go please to Interrogatory No. 5 filed by Forests for  
25 Tomorrow, which is part of Exhibit 1103, Madam Chair.

1                   This interrogatory, as I understand it,  
2                   pertains to your case study, Mr. Roll; is that correct,  
3                   or your company's case study?

4                   MR. ROLL: A. Yes, it is.

5                   Q. And it relates to years of experience  
6                   that a forester had with respect to the silvicultural  
7                   prescriptions discussed in the case study. Can you  
8                   tell me first, who is the forester referred to in this  
9                   answer?

10                  A. The forester referred to in this  
11                  answer is Murray Ferguson.

12                  Q. All right. And will Mr. Ferguson be  
13                  testifying on any of the Industry panels that are  
14                  forthcoming?

15                  A. Yes, he will, he will be testifying  
16                  on the renewal and on the protection panels.

17                  Q. All right, thank you very much. And  
18                  then one further matter of clarification. This  
19                  question is directed to you, Mr. Squires.

20                  You will recall a discussion this morning  
21                  of the responsibility for renewal activities in the  
22                  area of the Spruce River Forest limits both with  
23                  respect to freehold lands and company licensed areas.

24                  Who has responsibility for renewal  
25                  activities on Abitibi-Price's freehold lands in the

1 area of the Spruce River Forest?

2 MR. SQUIRES: A. Abitibi-Price has the  
3 responsibility for renewal on its freehold lands.

4 Q. And who has responsibility for the  
5 renewal activities on company licensed areas?

6 A. On company licensed areas the  
7 Ministry of Natural Resources has responsibility for  
8 renewal.

9 Q. And when you made your observations  
10 this morning on a comparative basis of the degree of  
11 renewal on FMA areas opposed to other areas, what areas  
12 were you comparing?

13 A. I was comparing the FMA area with  
14 non-FMA Crown licences under the jurisdiction of  
15 Abitibi-Price.

16 Q. Thank you very much.

17 Mr. Waddell, then could we turn to the  
18 last case study if we could, case study 4B, and I  
19 understand that that has been prepared by your company  
20 E.B. Eddy Forest Products Limited; is that correct?

21 MR. WADDELL: A. That's correct.

22 Q. And it pertains, as I recall your  
23 introductory remarks to the Board, to the jack  
24 pine/aspen upland mixed wood cover type; is that  
25 correct?

1 A. Yes, it is.

2 Q. All right.

3 MS. CRONK: Madam Chair, we have prepared  
4 a photocopy of certain of the slides and overheads that  
5 Mr. Waddell will be using. Three of these are not new  
6 and are based I'm told - and you will hear Mr.  
7 Waddell's evidence on this - on data contained in the  
8 case study but they are depicted graphically in a  
9 different fashion.

10 One is new and is not contained in the  
11 case study. We would like to file as a package then  
12 one overhead and three slides to be marked as one  
13 exhibit. (handed)

14 MADAM CHAIR: That will be Exhibit 1111.

15 MS. CRONK: Thank you. And these have  
16 been put together for the convenience of the Board,  
17 Madam Chair, so they can go into your photograph binder  
18 and in the case of the Board they are original pictures  
19 of the slides and the overhead -- photographs of the  
20 slides. (handed)

21 ---EXHIBIT NO. 1111: Hard copy photographs of three  
22 slides and one overhead re: Mr.  
Waddell's evidence.

23 MS. CRONK: Q. Mr. Waddell, could you  
24 begin then, if you would please, by describing to the  
25 Board in general terms the nature of your company's

1 activities in the area involved in the case study. And  
2 I would remain you of course that Mr. Boswell, the  
3 president of your company has testified before the  
4 Board and you should bear that in mind.

5 Having said that, could you provide a  
6 general description for the Board of the nature of your  
7 company's activities in the area of the case study?

8 MR. WADDELL: A. Yes. Madam Chair and  
9 Mr. Martel, E.B. Eddy Forest Products head office is in  
10 Ottawa and within the area of the undertaking our  
11 forestry operations are confined exclusively to  
12 northeastern Ontario.

13 We have two sawmills. The first of these  
14 sawmills is at Timmins with an annual production of  
15 about 50-million board feet of softwood lumber. Our  
16 second sawmill is at Nairn Centre which is nine miles  
17 east of Espanola. This is possibly the largest sawmill  
18 east of the Rocky Mountains and produces an annual  
19 output of lumber of around 185-million board feet which  
20 is enough to build about 18,000 average single dwelling  
21 homes per year.

22 The annual consumption of this sawmill at  
23 Nairn Centre is around a million cubic metres of  
24 softwood per year. I would like to show a slide, if  
25 you would, please.

1                   This will be slide 5.1, case study 4B.

2           This is our Nairn Centre sawmill. We also have a pulp  
3           and paper mill at Espanola, this is a kraft pulp mill  
4           and also produces fine papers. The average daily  
5           output of kraft from this mill is about 10,070-tonnes  
6           per day. The.

7                   Slide here of the Espanola pulp mill is  
8           slide No. 5.2. There are 'about 1.6-million cunits of  
9           material used in this mill each year. That is made up  
10          roughly of 35 per cent hardwood and 65 per cent  
11          softwood. Jack pine is our preferred species both --  
12          especially at our sawmills and is also highly desired  
13          in our pulp mill for the production of kraft and, since  
14          it is our desired species, our management efforts are  
15          directed towards favoring the renewal of jack pine  
16          whenever possible.

17                  Our wood supply is obtained from two  
18          major sources; first of all purchased wood, and this is  
19          obtained from independent contractors and sawmills.  
20          For example, our pulp mill at Espanola, we purchase  
21          about 55 per cent of the wood going into that mill is  
22          purchased wood and at Nairn nearly 25 per cent of our  
23          wood is purchased.

24                  The other major source of fiber is of  
25          course our forest management agreement areas and we

1 have three of these. Starting from the north - and I  
2 will refer you to a map here in a moment - but starting  
3 from the north we have the Pineland Forest management  
4 agreement which was signed in 1982, moving south we  
5 have the Upper Spanish Forest which was signed in 1980,  
6 and just north of Espanola we have the Lower Spanish  
7 Forest which was also signed at the same time in 1980.

8 Together these three forest management  
9 agreement areas comprise about 14,000 square kilometres  
10 or about 5,400 square miles of productive forest land.

11 And I would like to remained the board  
12 again of the purpose of an FMA as defined in the actual  
13 forest management agreement. The purpose of an FMA is  
14 to ensure a continuous wood supply to the mill or mills  
15 of the FMA holder and, secondly, to ensure that the  
16 lands covered by a forest management agreement are  
17 harvested and regenerated to provide continuous yields  
18 on a sustained yield basis.

19 Q. Now, Mr. Waddell, as I understand it,  
20 you are currently manager of Forest ReSources for E.B.  
21 Eddy; is that correct?

22 A. Yes, it is.

23 Q. And how long have you held that  
24 position, sir?

25 A. Since 1978.

1 Q. And in general terms what are the  
2 nature of your duties in that position?

3 A. Broadly I'm responsible for providing  
4 the overall direction for the company's forest  
5 management programs in Ontario and also for the  
6 company's private lands.

7 Q. And what position did you hold with  
8 E.B. Eddy prior to 1978?

9 A. Prior to that I was forest resources  
10 superintendent.

11 Q. And for how long did you hold that  
12 position?

13 A. From 1973 to 1978.

14 Q. And I understand that earlier in your  
15 career you had experience in forestry with the Ministry  
16 of Natural Resources?

17 A. Yes, I did.

18 Q. For how many years in total?

19 A. 14 years.

20 Q. All right. How long have you been  
21 practising forestry in the area of the undertaking, Mr.  
22 Waddell?

23 A. 34 plus.

24 Q. And where do you live, sir?

25 A. I live in Espanola, downtown

1 Espanola.

2 Q. Did you have any personal involvement  
3 in the planning and implementation of the timber  
4 management activities referred to in your case study?

5 A. Yes, through my staff we planned and  
6 implemented the forest renewal and the tending part of  
7 the forest management activities on the case study  
8 area.

9 Q. Could you then outline for the Board,  
10 if you would please, the location of the case study  
11 area and explain to the Board the facilities in the  
12 environs of the case study area?

13 A. Yes. I would like to refer to  
14 Exhibit 1105 previously entered, and the E.B. Eddy's  
15 three forest management agreements are located in the  
16 area designated yellow towards the centre of the map  
17 and they extend from roughly Espanola in the south to  
18 Timmins in the north. The actual case study area  
19 itself is located in the more or less centre and to the  
20 west side of the three FMAs.

21 Could I have the other map, please, Bill?  
22 I would like to enter this map at this time and it is  
23 The Location of E.B. Eddy's FMAs and Case Study Area  
24 within Northeastern Ontario.

25 Q. You can just stop there for a moment,

1 Mr. Waddell. Did you prepare this map or did you have  
2 it prepared under your direction for use in your  
3 evidence before the board?

4 A. The map was prepared under my  
5 direction.

6 MS. CRONK: Could that be marked, Madam  
7 Chair, as the next exhibit, please.

8 MADAM CHAIR: That will be Exhibit 1112.  
9 Could I have the title, please?

10 MS. CRONK: And could you read again for  
11 the record, Mr. Waddell, the title of that map, please?

12 MR. WADDELL: Yes. The title of this map  
13 is, The Location of E.B. Eddy's FMAs and Case Study  
14 Area within Northeastern Ontario.

15 ---EXHIBIT NO. 1112: Map titled: The Location of E.B.  
16 Eddy's FMAs and Case Study Area  
within Northeastern Ontario.

17 MS. CRONK: Q. Would you just move that  
18 map up a bit further, Mr. Waddell, so the Board can see  
19 it more clearly, please.

20 MR. WADDELL: A. Yes. I would like to  
21 give you an outline of what this map indicates.

22 Starting from the east side of the map,  
23 the right-hand side is Highway 17, the main TransCanada  
24 Highway. The City of Sudbury is located in the south  
25 east corner and the Town of Espanola where our pulp

1 mill is. Just to the east of that is Nairn Centre  
2 where our sawmill is.

3 The three forest management agreement  
4 areas, the Lower Spanish Forest is located in or  
5 coloured in blue, to the north of that in the deeper  
6 blue colour is the Upper Spanish Forest management  
7 agreement area, to the north of that is the Pineland  
8 Forest management agreement area.

9 The main access through this area is  
10 provided by Highway 144 which runs from Sudbury in the  
11 south through Gogama and to Timmins in the northeast  
12 corner, also Highway 101 which runs from Timmins  
13 through Foleyet over to Chapleau.

14 The main line of the CPR runs from  
15 Sudbury up through Ramsey, which is our main base camp,  
16 out to Chapleau and west to Winnipeg. The main line of  
17 the CNR comes from the southeast corner up through  
18 Gogama through Foleyet and again to Winnipeg.

19 The forest access roads in the area.  
20 There is a main road known as the West Branch Access  
21 Road or the Camp 12 Road that leaves Highway 17 a few  
22 miles west of Espanola, runs in a northerly direction  
23 through our camp 12 area and through the study area,  
24 continues north to Ramsey, north to Foleyet and the  
25 junction of Highway 101, or when you are at Ramsey you

1 can go east, go up 144, or west to come out to  
2 Chapleau. So the area is reasonably well accessed.

3 The case study area itself, as I  
4 indicated, is in the camp 12 area and it is in the  
5 Chapleau Ministry of Natural Resources district, the  
6 northern region of the Ministry of Natural Resources.  
7 It is in the company's west branch administrative  
8 district.

9 Q. All right. Can you assist me, Mr.  
10 Waddell, as to how far the case study area is from --  
11 let's start with Sudbury?

12 A. The case study area from Sudbury by  
13 road is approximately 250 kilometres, about 125 air  
14 miles.

15 Q. And how far is the case study area  
16 from Espanola?

17 A. About 145 kilometres by road.

18 Q. And how large is the case study area?

19 A. The case study area itself consists  
20 of about 2,400 hectares in total area.

21 Q. And can you outline for the Board  
22 what cover type characterizes the case study area?

23 A. Yes, and I think I would rather do  
24 that with a slide.

25 Q. Perhaps you could indicate first, Mr.

1 Waddell, are there particular blocks or particular  
2 stands comprized in the case study area that we should  
3 keep in mind?

4 A. Yes. The case study blocks or the  
5 case study itself consists of four distinct blocks and  
6 they are a total of -- in area, a total of just under  
7 28 hectares in size and within these eight blocks --  
8 pardon me, within these four blocks there are parts or  
9 all of eight stands as identified by the FRI. So there  
10 is four blocks and comprising parts of eight stands.

11 Q. And that is within the case study  
12 area?

13 A. That is correct.

14 Q. All right.

15 A. I would like to show you now  
16 photograph No. 2.2 which is taken in the case study  
17 area. This was taken five years after the cut-over and  
18 I will try to outline for you on here as best I can the  
19 general areas of the four blocks.

20 The entire area is the case study area  
21 but the four blocks that you will be hearing more about  
22 are located more or less in this area here.

23 (indicating) This area to the...

24 (Is this mike working? Yeah)

25 This area to the west of this road is

1 known as block A.

2 Q. Sorry, Mr. Waddell, you are pointing  
3 to the very north of the photograph?

4 A. Yes, I'm . I'm pointing to the north  
5 of the photograph and to the west of this Ivy/Kelso  
6 Road as we call it. So block A is located in this area  
7 here to the west of the road. On the opposite side and  
8 a little to the south is block B. Block C is located  
9 in proximity to this small lake, and block D again is  
10 on the east side of the road and down more towards the  
11 south.

12 You can see from the general contours  
13 that this area is quite flat, it consists of deep sandy  
14 soils, it's fairly productive and at the time of  
15 harvesting consisted of a series of jack pine and aspen  
16 working groups all of which went together to make up  
17 the jack pine/aspen mixed wood upland cover type.

18 This is slide No. 2.3 in the case study.  
19 This indicates what the stand looked like or the blocks  
20 looked like prior to harvesting. The stand in the  
21 background of the picture has not been harvested as it  
22 was part of an area of concern on a nearby lake.

23 This slide is not in the actual case  
24 study block itself, it was taken about a kilometre  
25 away, but it is very representative of what the case

1 study blocks looked like prior to harvesting.

2 You will note the stand in the background  
3 is made up basically of poplar, a little bit of birch  
4 and jack pine. The stands were formed in about 1910  
5 from a natural wild fire that went through the area.  
6 So at the time of harvesting they were approximately --  
7 the stand was approximately 70 years of age.

8 In the foreground of course we have a  
9 landing of tree-length jack pine that has been  
10 harvested from the area in the foreground.

11 Q. Why was this particular cover type  
12 selected for presentation to the Board, Mr. Waddell?

13 A. There was several reasons why, Ms.  
14 Cronk. First of all, this particular cover type, the  
15 jack pine/aspen mixed wood upland cover type is a very  
16 important commercial cover type across nearly the  
17 entire area of the undertaking. It goes right from the  
18 Quebec border through to the Manitoba border and  
19 because it is so prevalent, we felt it important to  
20 have a case study in this particular cover type, and it  
21 is also very important to our company in that about 15  
22 per cent of our forest management agreement areas are  
23 found in this particular cover type.

24 The second reason is that it gave us a  
25 good opportunity to compare two distinctive management

1 systems, and by that I mean that we were able to  
2 compare the system whereby the aspen canopy or poplar -  
3 I use those terms interchangeably, aspen and poplar -  
4 the aspen canopy was not disturbed on two blocks and we  
5 attempted to plant jack pine and see how well it would  
6 do underneath the aspen canopy. On the other two  
7 blocks we completely removed the aspen canopy. So it  
8 gave us an opportunity to see and measure comparative  
9 results.

10 And the third reason that this area was  
11 chosen was because it was done early after we signed  
12 our FMAs, we were able to get fifth-year assessment  
13 results and these are available for the interest of the  
14 Board.

15 Q. All right. Thank you, Mr. Waddell.  
16 You have indicated then that there were four blocks  
17 comprising the case study. Could you describe those in  
18 greater detail for the Board, please?

19 A. Yes, and I will using another map for  
20 this purpose.

21 Madam Chair, I would like to enter this  
22 as the next exhibit. It is entitled: The Detailed View  
23 of the Case Study Area in Relation to Camp 12 Road  
24 Access.

25 Q. And again, Mr. Waddell, was this map

1 prepared either by you or on your behalf for the  
2 purposes of your evidence before the Board?

3 A. It was prepared on my behalf.

4 MS. CRONK: And could that be the next  
5 exhibit, Madam Chair.

6 MADAM CHAIR: Yes. That's Exhibit 1113.

7 ---EXHIBIT NO. 1113: Map entitled: The Detailed View  
8 of the Case Study Area in  
Relation to Camp 12 Road Access.

9 MR. WADDELL: This map illustrates the  
10 specific case study area and it is just an enlarged map  
11 of the very small square that you saw on the previous  
12 exhibit, 1112.

13 If you remember, camp 12 was shown on the  
14 previous map and it is located in the bottom corner of  
15 this road system, the southwest corner. This road  
16 starting in the south corner and heading up through the  
17 centre of the map to the north end is known as our West  
18 Branch or Camp 12 Road. It continues on south through  
19 to Highway 17 and north to Ramsey. That is an  
20 all-weather gravel road.

21 The road extending in a loop from just  
22 south of camp 12, I think extends to the northeast and  
23 then looping around again to the west and meeting the  
24 Camp 12 Road is a secondary road built to access the  
25 case study area and it is, as I say, a secondary road

1 and it accessed the four case study blocks.

2 I would like to speak specifically now to  
3 the four blocks. Starting in the north, we have study  
4 block A, it was 7.5 hectares. Extending south of the  
5 road and to the east of the road now we have study  
6 block B, it was 5.7 hectares; continuing to the south,  
7 study block C was 1.7 hectares and block D, the most  
8 furthest south block, was 13 hectares. In total, 27.9  
9 hectares.

10 Q. And what species characterized these  
11 blocks or species -- variety of species?

12 A. As I indicated, there was eight  
13 separate FRI forest cover types within these four  
14 blocks and they consist entirely of pure jack pine,  
15 pure poplar -- pure jack pine or pure poplar, but  
16 mostly they were mixtures of jack pine and poplar which  
17 formed the cover types that we're talking about here,  
18 the jack pine/aspen mixed wood cover type and they are  
19 very typical of this area.

20 Q. Thank you, Mr. Waddell.

21 MADAM CHAIR: Excuse me. Mr. Waddell,  
22 you mentioned a few minutes ago an area of 2,400  
23 hectares in size.

24 MR. WADDELL: Yes, I did.

25 MADAM CHAIR: That is the entire area in

1 which the blocks exist?

2 MR. WADDELL: That's correct. It would  
3 more or less be the entire area around and within the  
4 road system, but the actual blocks that we will be  
5 referring to from now on consist of 27.9 hectares.

6 MR. MARTEL: Essentially, though, they  
7 are basically the same a mixture of Pj or poplar?

8 MR. WADDELL: Yes, they are, Mr. Martel.

9 MS. CRONK: Q. And just on that point,  
10 Mr. Waddell, could I ask you to turn to the Ministry of  
11 the Environment's interrogatory No. 11 which has  
12 already been filed with the Board. Have you got it?

13 MR. WADDELL: A. Yes, I have. Thank  
14 you.

15 Q. This, you may recall, Mr. Waddell,  
16 has been referred to earlier today. It was an  
17 interrogatory that requested provision of a copy of the  
18 FRI stand parameters for a number of case studies,  
19 including case study 4B.

20 With reference to the information  
21 provided regarding case study 4B - and I don't suggest  
22 you need go through it unless you wish to - can you  
23 indicate to the Board whether the information reflects  
24 the various species found on these blocks and in the  
25 case study area generally?

1                   A. Yes, it does. As I indicated  
2 previously, the stands both within the case study  
3 blocks and within the case study area themselves were  
4 basically mixtures of jack pine and poplar or in some  
5 instances pure jack pine or pure poplar.

6                   Q. All right. And I'm looking at Table  
7 1 to this interrogatory, is this the data that pertains  
8 to case study 4B?

9                   A. Yes, it is.

10                  Q. If we look at the right-hand side of  
11 the table, can you explain what information is set out  
12 there just by type of information?

13                  A. It's a standard FRI inventory data  
14 which indicates the stand competition, the age in  
15 years, the height in feet, the stocking and the site  
16 class for each of the eight stands contained within the  
17 case study area.

18                  Q. Thank you. Can you indicate to the  
19 Board please, Mr. Waddell, over what time period the  
20 timber management activities described in this case  
21 study occurred?

22                  A. Yes. The case study activities  
23 occurred over a rather extended period. The Ivy/Kelso  
24 Road which is the road to the east, the loop road which  
25 hooks up to the main camp 12 road - the secondary road

1 now I'm referring to - that was started from both ends  
2 in the year 1975 and it was eventually hooked up in the  
3 centre four years later about 1979.

4 The harvest of the case study blocks  
5 itself was done in 1980, the site preparation was done  
6 in 1981, the tree planting was done in 1982, the first  
7 aerial chemical herbicide release was done in 1984, a  
8 follow-up herbicide release was done in '86, and  
9 fifth-year stocking assessments were done in 1987. So  
10 we had an extended period of activity in this area from  
11 1975 through 'til 1987.

12 Q. Could you outline now, if you would  
13 then for the Board, Mr. Waddell, before you describe  
14 the particular activity themselves, what organizational  
15 structure applied at E.B. Eddy Forest Products Limited  
16 at the time these activities were undertaken?

17 A. Yes, and I'd best do this with a  
18 slide. This will be slide -- it's a slide of Figure 3  
19 that appears on page 7 of the case study. It is an  
20 exact copy.

21 This slide depicts the portion of the  
22 current forestry division organization chart that has  
23 been in place now for several years. This was not the  
24 chart that was in place at the time the case study area  
25 was initiated. Prior to 1980, of course, we had no

1 forest renewal responsibilities and this chart has  
2 largely evolved to meet our additional forest  
3 management responsibilities that we took on when we  
4 signed the FMA.

5 As the Board has heard before, one of the  
6 most important and positive things that the FMA has  
7 accomplished is that it has successfully integrated  
8 harvesting and renewal, and you have seen how other  
9 companies have changed their organization to  
10 accommodate this and we have as well.

11 I'd like to point you to the top of the  
12 chart, the vice-president of forestry and wood products  
13 in Espanola. That is where the ultimate integration  
14 occurs, at that senior level. On the left-hand side of  
15 the chart -- excuse me, I will see if I can focus this  
16 a little better.

17 The left side of the chart is generally  
18 what we call the operations side or the wood production  
19 side. The right side is the management planning and  
20 forest renewal side and you will note the two managers  
21 report directly to the vice-president so that  
22 integration on both sides is accomplished at that  
23 level.

24 Coming down here we find the west branch  
25 district superintendent. He was the individual who was

1 responsible in the field for the actual day-to-day  
2 implementation of both harvesting and forest renewal  
3 and, again, this is the harvesting side and you see  
4 that the superintendent has people here working  
5 directly for him, the operations forester, and they  
6 have the site preparation foreman, the tree plant  
7 foreman and so forth reporting directly to him, who  
8 reports to the superintendent. So on that particular  
9 piece of real estate the superintendent is responsible  
10 for all activities.

11 We also have on the forest management  
12 side the management foresters and silviculturalists  
13 working out of Espanola who provide technical direction  
14 and assistance to the operations foresters who are  
15 responsible for the actual forest renewal.

16 So we think that we have accomplished a  
17 good level of integration between harvesting and  
18 renewal.

19 Q. And where, Mr. Waddell, on this  
20 organizational chart is your own current position  
21 described?

22 A. I am the Manager of forest resources.

23 Q. Thank you. We heard evidence, Mr.  
24 Waddell, as you heard yesterday from Mr. Roll  
25 concerning the physical infrastructure that existed for

1 the purposes of the Canadian Pacific case study.

2 Was there a similar infrastructure in  
3 place for the purposes of the activities on your case  
4 study?

5 A. Yes, there was. I'm sorry, I'm going  
6 to have to ask for a slide again.

7 Q. Which slide are you going to refer to  
8 now, Mr. Waddell?

9 A. I am going to show slide 2.1. This  
10 is an aerial view of our camp 12 on the West Branch  
11 Road, and you heard from Mr. Roll of CP yesterday who  
12 went into considerable detail in describing the  
13 functions of the camp and I won't repeat that.

14 Ours is very similar. The camp was built  
15 in about 1970, it is a year-round camp. At the time of  
16 the case study there were about a hundred year-round  
17 employees working out of this camp, now it's closer to  
18 110. That number increases significantly in the summer  
19 months to as high as 170. The increment is due to the  
20 tree planting operations, the site preparation  
21 operations and the gravel construction -- pardon me,  
22 the road construction and gravel crews that also work  
23 out of this camp.

24 It is fully serviced. We have all  
25 services there except the major repairs to any heavy

1 equipment is done at our on base camp at Ramsey 30  
2 miles to the north. There are a great variety of jobs  
3 in a camp such as this. There are heavy equipment  
4 operators, cutters, skidder operators, skilled  
5 mechanics, cooks, cookees, scalers, forest technicians,  
6 clerks and so forth.

7 Q. How does the employment at Camp 12  
8 compare with the overall employment of E.B. Eddy out of  
9 Espanola? Let's do it generally with respect to the  
10 forestry division of E.B. Eddy.

11 A. As I mentioned, there is about 110  
12 year-round employees here and in the overall forestry  
13 division, including our other camps and our people in  
14 Espanola, there would be about 390 year-round jobs, and  
15 then I will go through our mills and add it together  
16 for you.

17 At our sawmill in Timmins there are about  
18 85 year-round employees, at our mill at Nairn Centre  
19 about 250 and at our pulp mill in Espanola about 920.  
20 So in total we provide direct employment to about 1,650  
21 people in northeastern Ontario on a year-round basis.

22 Obviously in addition to that, as I  
23 mentioned, we have a very large wood purchasing program  
24 and there are several hundred jobs directly related to  
25 this. These jobs would be truckers, mechanics, heavy

1 equipment operators and so forth that provide us with a  
2 very valuable source of fiber.

3 Q. How is the wood from the case study  
4 area used, Mr. Waddell?

5 A. I would like to again probably go to  
6 the map for this. Referring again to Exhibit 1112.

7 Q. 1100 -- 1112 you are quite right, I'm  
8 sorry?

9 A. I will take you back to the Camp 12  
10 area and the study area again. The wood from this area  
11 was trucked on secondary and main primary road to  
12 Ramsey and that would be a distance of 52 kilometres by  
13 gravel road north to Ramsey.

14 At Ramsey we have a main rail head and  
15 our wood is all loaded on the CPR main line and it is  
16 railed from Ramsey down to Sudbury and then it is  
17 switched onto the line from Sudbury to Sault Ste. Marie  
18 and brought over to our Nairn Centre sawmill.

19 Now, this is a distance in total of about  
20 265 kilometres which is a long haul even by northern  
21 Ontario standards.

22 You may well wonder why we are taking  
23 wood north to bring it south and that's a fair  
24 question. We have an arrangement with the CPR that  
25 allows us to obtain a fairly favourable freight rate

1 and it is cheaper for us to truck the wood 52  
2 kilometres to Ramsey and then take it by unit train,  
3 and by unit train I mean the CPR has dedicated one  
4 train per day to our tree length material so that each  
5 day, five days a week there is a unit train consisting  
6 of 30 to 33 cars a day comes from Ramsey to our sawmill  
7 at Nairn Centre. Each train would carry the equivalent  
8 of a hundred -- pardon me, a thousand cunits which is  
9 about to run the sawmill for the day. So that is why  
10 the wood goes north to come south to come west.

11 The other question you might wonder is,  
12 why do we maintain this road to the south of Camp 12 in  
13 a good condition and there is two answers for that.  
14 The the first of these is that we do have an operating  
15 camp located approximately 35 miles south of Camp 12 on  
16 this road and this is staffed by commuters on a daily  
17 basis who bus from the communities along the North  
18 Shore, Espanalo, Webbwood, McKerrow, Spanish and so  
19 forth and each day they take the bus and come up  
20 halfway to Camp 12 and carry out their operations. So  
21 wood from this area is trucked directly to our mill at  
22 Espanola because it's cheaper to do.

23 The second reason for maintaining this  
24 road in good condition is it provides access to Camp 12  
25 for our employees and most of our employees come in on

1 Sunday night and go home on Friday. And these  
2 employees at Camp 12 come from a wide range of small  
3 communities from Thessalon on the west to Sturgeon  
4 Falls on the east and a number of them, probably 50 to  
5 60 per cent of our employees at Camp 12, come from  
6 reserves on the Spanish River and Manitoulin Island.

7 Q. Could you deal next then, Mr.  
8 Waddell, with the timber management activities that  
9 actually took place on the four blocks that you have  
10 outlined to the Board and may I ask that you start  
11 first with access. What were the options again and  
12 what was done?

13 A. Well, because we are dealing here  
14 with just four small study blocks, the access to these  
15 blocks was provided by the one road that I indicated to  
16 you, the Kelso/Ivy secondary road that shows up on the  
17 other map. This provided all the access we required  
18 for harvesting these four blocks.

19 Within the overall case study area, of  
20 course, there had to be other roads built and these  
21 were primarily tertiary roads and we define a tertiary  
22 road as being a non-all-weather road. Normally there  
23 is not gravel put on it, although there may be at times  
24 but basically the balance of the area was accessed with  
25 tertiary roads.

1 I would like to show you a slide now.  
2 It's slide No. 6.5 and it will illustrate to you the  
3 Kelso/Ivy secondary road to give you some idea of the  
4 standard of that road.

5 This simply indicates a loaded haul truck  
6 on the Kelso/Ivy Road transporting the tree length  
7 material from the forest to our rail head at Ramsey.  
8 That is probably about 17 or 18 cunits of tree length  
9 jack pine and spruce on that particular truck.

10 Q. And dealing next then with harvest,  
11 Mr. Waddell, what were the options with respect to  
12 these blocks and perhaps you could help me first, when  
13 did harvesting occur?

14 A. Harvesting in the area was carried  
15 out in 1980 and our options available to us were  
16 threefold. First of all, we could have carried out a  
17 totally mechanical operation, meaning that the trees  
18 would have been felled mechanically, grapple skidded  
19 and skidded to the roadside for mechanical delimber.  
20 The second option available was semi-mechanical, some  
21 combination thereof and the third option and the one  
22 that was selected was the conventional cut, limb and  
23 skid, and I think the the Board is very familiar with  
24 what I mean by that.

25 Q. What was harvested?

1                   A. The only species harvested from the  
2 case study blocks and the case study areas themselves  
3 were the softwoods; spruce, jack pine, balsam. The  
4 aspen was not harvested and the reason that we did not  
5 harvest aspen was simply a lack of a suitable market.

6                   In 1980, although our kraft mill, as I  
7 have alluded to, does use hardwood, it does use poplar,  
8 in 1980 our capacity was only 25,000 cunits at that  
9 mill of poplar. This volume was easily supplied to us  
10 from independent contractors who had private lands or  
11 small government licences along the North Shore of Lake  
12 Huron and these licences were much closer to our mill  
13 than what this particular case study area was.

14                  So we were able to meet our immediate  
15 needs at that time from these independent sources  
16 without taking the aspen from our own FMA.

17                  Q. Now, a question was posed on this  
18 aspect of the case study by Forests for Tomorrow, Mr.  
19 Waddell, interrogatory No. 18 and the question was:

20                         "What opportunities have been provided to  
21 companies other than E.B. Eddy to utilize  
22 the aspen?"

23                  Can you respond to that question for the  
24 Board, please?

25                  A. Yes, if I may read the answer that we

1           responded to.

2                       "E.B. Eddy's timber management plans have  
3                       declared large areas of poplar as surplus  
4                       to the company's needs. Such areas are  
5                       available with the Minister's approval  
6                       for cutting by other firms. Several  
7                       companies have, through third-party  
8                       agreements, utilized limited quantities  
9                       of aspen from Eddy's FMA for specialty  
10                      products other than pulp. These  
11                      companies include Grant Forest Products,  
12                      Normick Perron Inc. and Weldwood of  
13                      Canada. "

14                     I would like to add that although we  
15                     still utilize -- or we are still utilize poplar from  
16                     our area -- let me try that one again. Although we  
17                     still use poplar in our mill, there is such a surplus  
18                     of poplar pulpwood in northeastern Ontario that the  
19                     same situation still continues to exist today and no  
20                     one has a market for poplar pulpwood.

21                     Q. Could you describe now for the Board,  
22                     Mr. Waddell, if you would please, what the situation  
23                     was with respect to renewal? What options were  
24                     available in terms of renewal treatments for these four  
25                     blocks?

1                   A. Yes, I would like to refer the Board  
2 now to Table 1, Appendix 1 of case study 4B and that's  
3 located on page 43 of the E.B. Eddy case study.

4                   Table 1 is silvicultural specifications  
5 and regeneration standards of the upper Spanish forest  
6 management agreement groundrules between 1980 and 85.  
7 And it was these groundrules that were used by us to  
8 determine what renewal options were available to us and  
9 from which we could make a decision as to how we were  
10 going to treat the area.

11                   As I previously mentioned to you, the  
12 stands in these study blocks could be made up of either  
13 poplar working group or jack pine working group, so  
14 that we have to look at each of these working groups in  
15 making the analysis of what options were available to  
16 us. So I would ask you on page 1, if you will go to  
17 the upper left-hand column where it says Inventory  
18 Working Group and it says Jack Pine, under Site  
19 Description, the first column is all site classes,  
20 richer sites with sandy loam and sandy clay loam.

21                   Since the soil in these particular case  
22 study blocks did not fall into this category, we were  
23 not allowed to use these options. If you will drop  
24 down one block you will see that the next category is  
25 all site classes, poor sites with sand, loamy sand,

1 silty sand. This was the category that we assessed the  
2 soil in the case study blocks to be, so we are now  
3 slotted into the alternatives.

4 Moving to the right, you will see method  
5 of harvest is clearcut and propose working group was  
6 jack pine as we wished to favour jack pine.

7 The next column indicates silvicultural  
8 prescription available to us. No. 1 is site prepare  
9 and seed; No. 2 is site prepare and plant; No. 3 is  
10 seeding the site prep; and No. 4 is site prep for  
11 natural regen; and 5 indicates that tending may be  
12 required at least once. I would like to indicate to  
13 you that these alternatives are not necessarily in  
14 order of priority.

15 The site -- or the renewal prescription  
16 that we chose was No. 2, site prepare and plant. Now,  
17 again, I emphasize this was for the stands that were in  
18 the jack pine working group.

19 Q. Just before you leave that, Mr.  
20 Waddell, what did the prescriptions provide with  
21 respect to tending?

22 A. The prescriptions provided that  
23 tending may be required in the third year and again in  
24 the fifth year if competition is unusually heavy. So  
25 we had the option to aerial -- not necessarily aerial

1 but to herbicide on two occasions.

2 I would ask the Board if they would turn  
3 over now to page 3 of the same table. And now we will  
4 follow through the poplar working group to see what  
5 renewal alternatives were available to us, where the  
6 particular stands were in the poplar working group.

7 Again, the upper left-hand column, the  
8 present inventory working group is poplar; moving  
9 across to the right, it says all sites, method of  
10 harvest was clearcut. Now, under proposed working  
11 group you will see we had there three alternatives:  
12 poplar, jack pine and spruce. So we now had to decide  
13 what did we want to regenerate these poplar working  
14 groups back to; to poplar, to jack pine or spruce.

15 We decided that since we are already had  
16 a huge surplus of poplar on our FMA and indeed  
17 throughout the entire area of northeastern Ontario we  
18 did not want to regenerate them back to poplar. As  
19 jack pine was our preferred species, we opted to  
20 regenerate them to poplar rather than to -- pardon me,  
21 we opted to regenerate them to jack pine rather than to  
22 spruce.

23 So if you will move to the second column  
24 where it says Jack Pine, you will see that our  
25 silvicultural prescriptions -- we had the options,

1 first of all, to do site preparation through chemical,  
2 prescribed burn and/or mechanical site prep with  
3 planting. As a footnote, this will probably require  
4 tending at the third and fifth year.

5 So this is the silvicultural prescription  
6 that we opted for, was mechanical site preparation with  
7 planting.

8 Q. With respect to the provisions of the  
9 silvicultural specifications regarding tending for both  
10 the jack pine working group and the poplar working  
11 group you have just reviewed, was there any delineation  
12 or requirement as to the type of tending that might be  
13 undertaken or were there a number of options available  
14 in that regard?

15 A. There was no constriction as to the  
16 type of tending that we could carry out, that was left  
17 to the decision of the forest manager of the day.

18 Q. All right. Now, as I understand it,  
19 Mr. Waddell, from all that you have said to the Board,  
20 these four blocks essentially were mixed wood sites of  
21 either the jack pine or the poplar working groups; is  
22 that correct?

23 A. That's correct.

24 Q. One of the questions posed by the  
25 Ministry of the Environment in the interrogatories

1 which they delivered questioned whether as a rule mixed  
2 wood sites shouldn't be aerially seeded. I refer you  
3 to Ministry of the Environment interrogatory No. 13 as  
4 filed with the Board, and what is your view on that  
5 proposition, that as a rule mixed wood sites should be  
6 aerially seeded?

7 A. If I can refer you to the answer we  
8 provided to the Ministry of Environment on that  
9 particular interrogatory, the gist of our argument was  
10 that as a rule mixed wood sites within E.B. Eddy's FMAs  
11 require planning in order to meet minimum stocking of  
12 softwood.

13 As indicated on page 5 our case study, we  
14 rejected seeding due to the probability - and I might  
15 say the high probability based on your experience - the  
16 high probability of competition for light and moisture  
17 from saplings arising from the residual aspen root  
18 systems and from our experience it is much -- you have  
19 a much better chance of achieving a successful  
20 plantation by planting on these sites than you do by  
21 aerial seeding because of the time lag in which your  
22 seeds must germinate and develop the same height as the  
23 planted stock is when you stick it in the ground.

24 So, no, we do not wish to aerial seed any  
25 of these rich upland sites.

1 Q. Do you recognize a general rule that  
2 that should be done on mixed wood sites of this kind?

3 A. Certainly on the E.B. Eddy's FMAs we  
4 do.

5 Q. I'm sorry, you do aerially seed?

6 A. Would you repeat the question please?

7 Q. Do you recognize a general rule that  
8 on mixed wood sites of this kind they should be  
9 aerially seed?

10 A. Absolutely not. My response was that  
11 on the E.B. Eddy's FMAs on these reach upland sites the  
12 general rule is we do not aerial seed, we plant.

13 Q. And in the poplar working group  
14 according to the groundrules was seeding in any form an  
15 option?

16 A. No, it was not. When the groundrules  
17 were put together in 1980 by the foresters from E.B.  
18 Eddy and the foresters from the Ministry of Natural  
19 Resources it was recognized by both groups that aerial  
20 seeding was not a viable alternative on these  
21 particular sites. It is on the jack pine working group  
22 but not on the poplar working group.

23 Q. Then dealing specifically with these  
24 four blocks, Mr. Waddell, could you explain to the  
25 Board precisely what was done with respect to renewal

1 on each of these blocks?

2 A. Yes. The four blocks were treated as  
3 follows: Blocks A and B were essentially treated the  
4 same way, scarification or site preparation -- let me  
5 call it, site preparation was carried out in 1981 on  
6 blocks A and B and this consisted of a new technique,  
7 one that we had never used before anyway, and that was  
8 to completely eliminate the hardwood residuals that  
9 were left following the harvest when only the softwood  
10 had been removed. So we put bulldozers in and pushed  
11 over all of the standing hardwood and windrowed them.

12 I would like to show you a slide of that  
13 particular operation if you will, please. This is  
14 slide 7.3 of our case study.

15 This particular slide 7.3 is not on the  
16 immediate case study area, it is approximately probably  
17 30 miles away, but it does represent very similar  
18 conditions, and what I would like to point out to the  
19 Board is the windrows of hardwoods that have been  
20 pushed aside.

21 Also in the background you see standing  
22 blocks of hardwood. Some of these hardwood blocks had  
23 the softwood component removed and some were pure  
24 hardwood which were not touched at all.

25 The reason that we did not push over all

1 of the hardwood blocks is we do not attempt to convert  
2 pure hardwood stands into softwood, we are only working  
3 here with certain stands that have a component of  
4 softwood in them to start with, so we certainly are not  
5 attempting to push over pure stands of hardwood. The  
6 area that you see scarified was mixed wood stands of  
7 jack pine and aspen.

8 In the foreground you will see the tops  
9 of black spruce stands that have been left, and just to  
10 the north of the foreground you will see where the  
11 scarification appears to be in rows. That was done by  
12 a row trencher and the reason we could do that was it  
13 was only a very little amount of hardwood in this  
14 particular area. As soon as you get into large amounts  
15 of hardwood like in the centre of the photograph you  
16 cannot use a trenching device and you must get into  
17 heavy tractor use.

18 So that slide illustrates the type of  
19 what we call the heavy site preparation or windrowing  
20 that we started in 1981 in this particular case study.

21 Q. And how does that compare, Mr.  
22 Waddell, with what was done by way of renewal  
23 treatments on blocks C and D?

24 A. Again I would like to refer to a  
25 slide, and this is slide No. 6.3. This particular

1 slide will show you what these mixed wood stands looked  
2 like following cut-over when the softwood is not  
3 removed. This is very typical.

4 As I said before, blocks A and B had this  
5 sort of thing left standing in them when we finished  
6 harvesting and we put in tractors to windrow the  
7 residual hardwood.

8 Blocks C and D we left as control blocks  
9 to measure the results and this was the way in which --  
10 block C and D were the way in which the silvicultural  
11 practices had been done on the Upper Spanish Forest up  
12 and to 1981. We were not satisfied with the results we  
13 were getting and this is why we got into a new method  
14 of site preparation to see if we could grow better  
15 stands of jack pine on these rich upland sites.

16 So that is representative of what the  
17 cut-over stands looked like and that looks -- or we  
18 would then put bulldozers in there and scarify around  
19 those residual poplars and plant.

20 Q. And is that what in fact was done on  
21 both block C and D?

22 A. Yes. On block C and -- well, on all  
23 four blocks the planting was carried out in 1981 --  
24 pardon me, 1982. The scarification was done on all  
25 four blocks in 1981, planting was done on all four

1 blocks in 1982, and then on -- we carried out aerial  
2 chemical herbicide release using 2,4-D in 1984 and  
3 again in 1986 on blocks A, B and D. The reason that  
4 block C was not sprayed was because of its proximity to  
5 a small lake and there was a buffer zone of no spray  
6 established on that lake.

7 So I would just like to very quickly  
8 summarize for you what was done. Blocks A and B  
9 received heavy windrowing, complete removal of the  
10 aspen canopy, planted the following year, and two  
11 subsequent chemical sprays.

12 Blocks C and D we allowed the canopy to  
13 remain in tact, worked the bulldozers in and around the  
14 standing trees, planted it, and sprayed except for  
15 block C where the buffer zone prohibited us from doing  
16 so.

17 Q. Why was tending undertaken in 1984  
18 and 1986 on these three blocks, Mr. Waddell?

19 A. The tending was undertaken because  
20 our field assessment results indicated to us that the  
21 poplar was rebounding so quickly that it was  
22 interfering with the growth of the planted jack pine  
23 and we felt it was essential to carry out herbicide  
24 release programs.

25 Q. Will there be a representative of

1 your company testifying on the Industry's panel  
2 concerning tending and protection?

3 A. Yes, there will.

4 Q. And will that witness be dealing with  
5 the tending activities on this case study area?

6 A. He will.

7 Q. Are there, in respect of these four  
8 blocks, assessment results available that you can  
9 outline for the Board to assist it in understanding  
10 what was done on these blocks?

11 A. Yes. As I said, we carried out  
12 fifth-year stocking assessments in 1987 and these are  
13 presented in full in our case study, but I have  
14 summarized these and I would like to present them on a  
15 slide, and this is a slide of the condensed Table 2  
16 that you will find on page 26 of the case study.

17 If I could have the light.

18 Q. I am sorry, did you say that this  
19 slide that you are now showing to the Board comes from  
20 the data in Table 2?

21 A. Table 2, page 26.

22 MS. CRONK: And this for the record,  
23 Madam Chair, is a slide contained in Exhibit 1111 which  
24 has been provided to the Board.

25 MR. WADDELL: The fine print down the

1 left-hand side that you may not be able to read says  
2 softwood stocking per cent, so it's 20, 40, 60, 80, 100  
3 per cent stocking. The numbers on top are the actual  
4 stocking per cents; 72, 81, 55.

5 Block A is the yellow block and block B  
6 is the green block. These were the two blocks that  
7 were heavily site prepared, planted and received two  
8 chemical release.

9 And you will note that the stocking at  
10 the end of fifth year to softwood was 72 and 81 per  
11 cent. The blue and purple blocks, which are C and D,  
12 are the blocks that the conventional site preparation  
13 techniques of leaving the residual canopy in place, and  
14 you will note that the stocking -- the softwood  
15 stocking on those two blocks is at 55 per cent.

16 The minimum objective -- the minimum  
17 stocking standards for the Upper Spanish Forest are 40  
18 per cent. So that all four blocks readily met the  
19 stocking standards. The objective stocking for our FMA  
20 is 70 per cent. So blocks A and B, the heavily site  
21 prepared blocks, met the stocking -- the objective  
22 stocking standards, the block C and D did not.

23 MS. CRONK: Q. Apart from the fifth-year  
24 stocking assessment results, are there any other  
25 assessment results obtained recently with respect to

1       these blocks that you could outline to the Board?

2                       MR. WADDELL:   A.   Yes.   In 1988 we  
3       carried out a special study in which we measured the  
4       individual heights and the diameters of jack pine in  
5       these four blocks to get a comparison.   And what we did  
6       then was calculate the average volume per stem and the  
7       average volume per hectare so that we would have some  
8       indication of how these blocks were comparing by volume  
9       which, after all, is the critical analysis.

10                      And I would like to show you now a slide  
11       of Figure 7 which is found on page 37 of the case  
12       study.   Again, down the left-hand side we have stem  
13       volume in cubic metres per hectare.

14                      I would like to remind you that the  
15       yellow and green blocks are the blocks that had the  
16       canopy totally removed; the two blocks on the right  
17       represent the conventional pre-FMA management  
18       practices.

19                      This study was done six years after  
20       planting.   Block A had 3.06 cubic metres per hectare,  
21       block B had 4.14 cubic metres per hectare, and both of  
22       the conventional style blocks had less than 1 cubic  
23       metre per hectare.   A very startling and striking  
24       difference in total volume per hectare.

25                      Q.   What conclusions if any has the

1 company drawn to date from these results, Mr. Waddell?

2 A. Well, we have concluded that the  
3 excellent growth response in blocks A and B are  
4 primarily due to two factors. First of all, because  
5 blocks A and B received very thorough site preparation  
6 there was more micro-sites available for planting and  
7 in fact about 25 per cent more trees were planted on  
8 blocks A and B per hectare than on C and D which had  
9 the aspen canopy remaining. So we started out with 25  
10 per cent more trees to begin with.

11 The second conclusion is that the stock  
12 planted on blocks A and B obviously received full  
13 sunlight and jack pine is a species that thrives in  
14 full sunlight and it has obviously been able to take  
15 advantage of the full sunlight situation and put on a  
16 much better stem diameter, in fact the stems that we  
17 measured on the full sunlight were nearly three times  
18 the size of the stems in the partial shade.

19 Q. Can you assist the Board as to the  
20 visual appearance of these blocks today?

21 A. Yes. I have a series of five slides  
22 that I would like to present now, and these are slides  
23 9.1, 9.2, 9.3, 9.4 and 9.5.

24 This is slide No. 9.1 and it is block No.  
25 C which was one of the blocks that was site prepared in

1 the old conventional manner; that is, allowing the  
2 aspen canopy to remain and, as you can see, there are a  
3 number of aspen in the background. The jack pine that  
4 the gentleman is standing beside, while it does have a  
5 decent heighth, it is very very thin in diameter and it  
6 is not a very healthy looking stem for that size of a  
7 tree and this, of course, is typical of jack pine, when  
8 they are grown in semi-shade they will grow in heighth  
9 but they put very little stem diameter on and they are  
10 like a piece of wet spaghetti.

11 These photos are all taken obviously on  
12 the same day and they were taken in the fall of 1989  
13 which is eight years -- pardon me, seven years after  
14 planting.

15 This is block C, again light site  
16 preparation and planting, and you will note again the  
17 presence of the aspen in the background. The jack pine  
18 in the foreground and to the left of the gentleman are  
19 still fairly thin in diameter and not really too  
20 vigorous looking. They are suffering from competition.

21 Q. Sorry, what block did you say that  
22 was, Mr. Waddell?

23 A. I'm sorry, I said C but it's block D.  
24 Thank you.

25 This block was aerial sprayed and these

1 trees are better than the jack pine, are more vigorous  
2 than the previous slide which was block C where the  
3 trees were not sprayed. Probably the overstorey here,  
4 the large trees are dead from the aerial herbicide and  
5 that is why these trees -- the young jack pine are  
6 looking a little more vigorous, but they still are not  
7 what we would consider to be a healthy looking young  
8 plantation.

9 We now move to block A. This was one of  
10 the two blocks that was heavily site prepared and  
11 windrowed. You will note that the growth on these  
12 trees is much more vigorous, the stem diameter is much  
13 thicker and we now have the makings of a vigorous young  
14 healthy plantation.

15 Q. Could I just stop you there for a  
16 moment, Mr. Waddell. You said that these photos that  
17 you were showing the Board were taken on the same day.  
18 Was there any difference in point in time as to when  
19 the planting on these blocks was done?

20 A. No, Ms. Cronk, they were all done in  
21 the same week of 1982.

22 Q. Thank you.

23 A. I would move now to photo 9.4. This  
24 is block A -- no, it's block B, I'm sorry. It's block  
25 B which was the other block which was heavily site

1 prepared and again you see an excellent, well stocked,  
2 healthy, vigorous growing plantation.

3 The final slide I would like to show you  
4 is again block A, it's an overview, and that was taken  
5 the winter previous. It shows the block A in the  
6 foreground and in the background is the uncut portion  
7 of the remaining stand. It again shows how vigorous  
8 this young jack pine plantation is and we have every  
9 hope that it is going to be a high yielding stand in 50  
10 to 55 years time.

11 Q. Mr. Waddell, could you go back please  
12 to slide 9.4, the one immediately before this one. Can  
13 you indicate how tall the jack pine tree is to the  
14 right of the individual in the photograph?

15 A. To the right of the individual. The  
16 individual with his hard hat on would be slightly over  
17 6 foot.

18 Q. Having regard to the conditions of  
19 these blocks today as indicated in these photos, has  
20 the company drawn any particular conclusions with  
21 respect to the type of renewal and tending treatments  
22 carried out on these blocks?

23 A. Yes, we have. Because of the very  
24 promising results that we have achieved in this case  
25 study on blocks A and B, we have adopted this technique

1 now as a matter of course for similar sites and similar  
2 type of stands and we have discontinued the other  
3 method of site preparation, in fact we just  
4 discontinued it two years after the case study was  
5 initiated, we haven't done any of that since 1982 or  
6 '83, and we routinely carry out this type of management  
7 practice on these good mixed wood sites.

8 In fact I would like to show you now a  
9 final slide which will illustrate the percentage of  
10 area that we are now treating in this manner.

11 Q. What slide number is this, Mr.  
12 Waddell?

13 A. This will be slide of Figure 8 which  
14 is found on page 40 of the case study.

15 MS. CRONK: And this, Madam Chair, for  
16 the record is part of Exhibit 1111.

17 MR. WADDELL: The blue graphs illustrate  
18 the hectares on an annual basis that E.B. Eddy is site  
19 preparing on the Upper and Lower Spanish.

20 So, for example, in 1984 we site prepared  
21 about 12-, 1,300 hectares and the red blocks indicate  
22 the method of heavy site preparation that we have just  
23 illustrated to you in the case study.

24 In 1988 the heavy site prep represented  
25 about 37 per cent of the total area site prepared by

1 the company and as we have gained experience and  
2 confidence in this method, you can see that the amount  
3 of area that we are utilizing under this system has  
4 increased.

5 MS. CRONK: Q. Well, what percentage of  
6 lands were treated by what you have defined in this  
7 slide as heavy site preparation in 1989 as opposed to  
8 1988?

9 MR. WADDELL: A. In 1989 the percentage  
10 treated by heavy site prep was 25 per cent of the total  
11 site preparation effort by the company.

12 Q. On this FMA or generally?

13 A. On the Upper and Lower Spanish  
14 Forests. In other words, if we were to extend that  
15 graph for one more year our percentage -- the red would  
16 be down somewhat from 1988 and this, of course, varies  
17 by years with the particular sites that you encounter  
18 that require treatment.

19 And I might add that looking ahead and  
20 projecting into the 90s, we feel that we have now --  
21 the 25 per cent level is about the level that we will  
22 achieve more or less for the next five years. We don't  
23 expect it to expand beyond the 25 per cent level.

24 Q. Thank you, Mr. Waddell. Just while  
25 you are up, Mr. Waddell, if I could ask you to go back,

1 if you would please, To exhibit 1112, the map that you  
2 referred to earlier.

3 Are you finished with the slide, I am  
4 sorry?

5 A. Yes, I am.

6 Q. And you had indicated earlier, and I  
7 didn't get it all down, with reference to camp 12,  
8 particular to this case study, the general area from  
9 which the employees at camp 12 came.

10 Could you just review that again for me,  
11 please?

12 A. Yes, most of our employees at camp 12  
13 come from the communities along the, as we call it  
14 locally, the north shore of Lake Huron starting from  
15 Thessalon in the west, through the small communities of  
16 Spanish, Massey, Webbwood, McKerrow, Espanola, Nairn  
17 Centre, even a few from Sudbury, and extending right  
18 through to Sturgeon Falls and east and, as I indicated,  
19 possibly 50 to 60 per cent of our employees at camp 12  
20 come from the Spanish River reserve or a couple of  
21 reserves on Manitoulin Island.

22 Q. Thank you.

23 MR. MARTEL: Mr. Waddell, do you have any  
24 idea how many native people you employ.

25 MR. WADDELL: In the woods, Mr. Martel?

1 MR. MARTEL: Yes.

2 MR. WADDELL: Status Indians?

3 MR. MARTEL: Yes, from the reserves.

4 MR. WADDELL: I can very easily get that  
5 figure for you. I would believe it would be in the  
6 vicinity of 80 to 90 full time.

7 MR. MARTEL: Do you have any in either at  
8 Espanola or the Nairn Centre operation?

9 MR. WADDELL: I can't speak for Nairn  
10 Centre and, of course, the only way that we know they  
11 have to be status Indians -- or it's not recorded that  
12 way on the payroll. I don't believe -- no, I really  
13 can't answer that at the mill.

14 I know we did a little study on it in the  
15 forestry division and I can get you the exact figures  
16 if it's important. I believe it's in the vicinity of  
17 75 to 85 in the forestry operation. I really can't  
18 speak for the mill end of it.

19 MR. MARTEL: Fine, thank you.

20 MS. CRONK: The Board will perhaps  
21 appreciate that there are certain constraints that  
22 apply to the listing of information on payroll records.

23 Q. Mr. Waddell, could I ask you then  
24 finally, if you would, sir, to outline for the Board  
25 what in your view are the important features of this

1 case study and what in essence you have intended to  
2 communicate to the Board about it for the purposes of  
3 later evidence that they will hear concerning these  
4 timber management activities?

5 MR. WADDELL: A. Yes. This case study  
6 involved the jack pine/aspen mixed wood upland cover  
7 type in the Upper Spanish Forest of E.B. Eddy. This is  
8 a very important cover type across the entire area of  
9 the undertaking and it certainly is important to E.B.  
10 Eddy as about 15 per cent by area of our FMAs fall into  
11 this particular cover type.

12 These mixed wood stands consist primarily  
13 of aspen and jack pine and are usually found on  
14 productive sites and contain some of the highest  
15 volumes in total that we have; however, the lack of a  
16 suitable market for poplar has resulted in only the  
17 softwood being harvested and this results in a real  
18 silvicultural renewal problem.

19 Since jack pine is the preferred species  
20 for our mills, it was and still is vital to our company  
21 to maintain a very strong component of jack pine on  
22 these very productive sites.

23 Prior to 1981 regeneration on these sites  
24 consisted of leaving the residual aspen canopy in  
25 place, site preparing around the standing trees and

1           planting without any herbicide practices being used.

2                       This case study documents a new technique  
3           whereby the aspen canopy is totally removed, planted to  
4           jack pine and aerial tending of approved herbicides  
5           carried out as required.

6                       Our assessments to date clearly show that  
7           the management practice of removing the poplar  
8           overstorey and chemically treating has resulted in two  
9           major benefits to the jack pine; first of all, we are  
10          achieving significantly higher fifth-year assessment  
11          results and we are also achieving significantly greater  
12          volumes per stem and obviously, therefore, greater  
13          volumes per hectare.

14                      And we predict that at the next rotation  
15          the volumes per hectare of jack pine on these sites we  
16          will be able to harvest as much as 200 per cent higher  
17          volumes if our present growth results hold true.

18                      As a result of our assessments to date,  
19          this technique is now used routinely by the company on  
20          these highly productive upland mixed wood sites across  
21          the E.B. Eddy's FMAs.

22                      Q.   In your view, Mr. Waddell, have the  
23          results indicated by the form of what you have called  
24          heavy site preparation on these sites, have the results  
25          of that technique ruled out the necessity for tending?

1                   A.   Definitely not.   Heavy site  
2   preparation such as we do actually, if anything,  
3   stimulates the growth of young poplar, so there is no  
4   way that we can grow jack pine on these sites in our  
5   professional forester's opinion and not use tending.

6                   Q.   Is that your opinion, sir, as well?

7                   A.   That is absolutely my opinion.

8                   Q.   Then finally, Mr. Waddell, as we  
9   started with you yesterday afternoon, perhaps I could  
10   ask you to conclude.   And could you indicate to the  
11   Board, if you would please, whether there are any  
12   concluding observations or comments which the panel  
13   wishes to make?

14                  MS. CRONK:   If, Madam Chair, you are  
15   content to complete the evidence before your break.

16                  MADAM CHAIR:   Yes.

17                  MS. CRONK:   Thank you.

18                  MR. WADDELL:   Thank you, Madam Chair and  
19   Mr. Martel.   I would just like to make a few brief  
20   comments here on behalf of our panel.

21                  Despite the multitude of facts and  
22   figures and data that we have probably inundated you  
23   with here in the past day and a half, our message that  
24   we would like to leave with you is basically very  
25   simple.

1 First of all, within the area of the  
2 undertaking there are five major commercially important  
3 cover types and they are very distinct, one from each  
4 other. In the case studies we have presented one case  
5 study for each cover type. We have tried to convey to  
6 the Board the wide variety of forest management  
7 activities that the Industry carries out across the  
8 area of the undertaking.

9 We have presented to you the results of  
10 our forest management activities and we have -- I  
11 believe that our results have demonstrated that  
12 Industry has capably and effectively planned and  
13 implemented its forest management activities.

14 In an area as vast as that of the area of  
15 the undertaking there are a wide variety and complexity  
16 of sites, species, market conditions, equipment and  
17 local factors. The local manager on each forest unit  
18 must consider and evaluate all of the foregoing and he  
19 must do this for each management activity whether it be  
20 harvesting, access, renewal or tending.

21 We have tried to illustrate to you  
22 through these case studies how the Industry managers in  
23 real life situations do assess and do evaluate all  
24 applicable factors and eventually we select and  
25 implement the option that, in our best judgment, our

1 best professional judgment will give the best results  
2 for that particular site.

3 It is our opinion that it is absolutely  
4 essential that forest managers, whether they be on  
5 Crown management units or on forest management  
6 agreements, be allowed to continue to retain this  
7 flexibility of decision-making, so that in our  
8 professional judgment we can make the best decision for  
9 the site-specific situation.

10 Thank you.

11 MS. CRONK: Thank you, Mr. Waddell.

12 Madam Chair, Mr. Martel, that completes  
13 the evidence-in-chief by way of overview with respect  
14 to the case studies and, as I indicated at the outset,  
15 each of the witnesses who has testified on this panel  
16 will be re-attending before you and will be giving  
17 evidence on one or more - in some instances more -  
18 panels with respect to the specific activities.

19 So that concludes the evidence to be  
20 presented on this issue at this time, and Mr. Cosman is  
21 present with the witnesses to provide an overview with  
22 respect to the planning issues.

23 We would propose to proceed with that  
24 after your break.

25 MADAM CHAIR: All right, thank you, Ms.

1 Cronk. Did Mr. Cassidy want a break for some other  
2 preparation?

3 MS. CRONK: He would like a short break,  
4 as I understand it, between the planning overview and  
5 the commencement of the access panel, but the planning  
6 overview will take some little bit of time. So that is  
7 to proceed next.

8 MADAM CHAIR: All right. We will have a  
9 20-minute break then.

10 MS. CRONK: Okay.

11 MADAM CHAIR: Thank you very much, panel.

12 --- (panel withdraws)

13 --- Recess taken at 3:15 p.m.

14 --- On resuming at 3:45 p.m.

15 MADAM CHAIR: Please be seated.

16 MR. COSMAN: Good afternoon, Madam Chair,  
17 Mr. Martel.

18 At the beginning of this hearing I  
19 indicated on behalf of the forest industry associations  
20 that they were generally in support of the class  
21 environmental assessment as proposed by the Ministry of  
22 Natural Resources.

23 Today we wish to give you an overview of  
24 the changes to the MNR's proposed planning system and  
25 to give you a preview of what Industry is proposing in

1 its evidence and in its terms and conditions.

2           Shortly I will be introducing to you Mr.  
3 Michael Innes and Mr. Dale Munro who will be testifying  
4 and who will explain how Industry's proposals differ  
5 from those of the MNR.

6           We hope that you will find the proposals  
7 of Industry to be progressive and responsive to the  
8 needs of the public, as well as reasonable from an  
9 operational perspective. All of those are necessary,  
10 Madam Chair.

11           We are providing the planning overview at  
12 this time so you will have the planning context for the  
13 operations that will be subject of the subsequent  
14 panels in a month or so to come on behalf of Industry.  
15 We will not be describing today in detail the planning  
16 system that is proposed by Industry in that we do not  
17 intend to duplicate Panel 10, the planning evidence  
18 panel. What we will be doing, Mr. Innes and Mr. Munro  
19 will be doing is giving you, as I say, a preview of  
20 Panel 10 and they themselves will be returning as part  
21 of that panel to answer questions at that time that  
22 parties may have.

23           The purpose of today's panel is simply to  
24 provide an overview and I will not be longer than two  
25 hours and with your indulgence I would hope to complete

1 the evidence today so that the access panel may  
2 commence fresh tomorrow morning. I would think 5:30  
3 would do it if my estimates, which are generally fairly  
4 accurate, by that experience.

5 Before turning to Mr. Innes and Mr.  
6 Munro, you will recall that one of the counsel on Panel  
7 2 asked if we were intending to call evidence on hiring  
8 practices and I said no, we were not because that was  
9 not part of the mandate of the Board in this  
10 environmental hearing. I just want to make it clear  
11 because I don't think I stated it at that time, that it  
12 is my understanding that the forest industry has  
13 nothing to be ashamed of in terms of its hiring  
14 practices, but I did not consider it appropriate nor do  
15 I consider it appropriate for other parties to delve  
16 into matters which are outside the Board's jurisdiction  
17 and which would, in effect, turn this hearing into a  
18 commission of public inquiry or a royal commission type  
19 hearing.

20 But in any event, the Class EA document  
21 and the Environmental Assessment Act provide the  
22 parameters of this hearing and all of our evidence, all  
23 of which has been delivered to all the parties by the  
24 end of January, will relate to those issues. Planning  
25 of forest industry activities is clearly before this

1 Board, as the Board itself has ordered and directed,  
2 and I now turn to Mr. Munro and Mr. Innes in order that  
3 they might give you a preview and an overview of our  
4 planning evidence.

5 Perhaps I would ask the Board if they  
6 have with them the witness statement for Panel 10. We  
7 will not need the terms and conditions, but if you  
8 would just turn to the witness statement for Panel 10,  
9 if not, I will even manage without it. Thank you.

10 And perhaps, Madam Chair, even though it  
11 is an overview the witnesses ought to be sworn.

12 MADAM CHAIR: Yes.

13 MR. COSMAN: Thank you.

14 MICHAEL INNES,  
15 DALE MUNRO, Sworn

16 MR. COSMAN: Madam Chair, in the witness  
17 statement for Panel 10 I am going to just make a brief  
18 reference to the curriculum vitae of the two witnesses  
19 and it is to be found at the very beginning right after  
20 the summary which is sub (i) to sub (xi) and then you  
21 will see (xii), page 12, you will see Michael Innes' CV  
22 right at the very beginning of the witness statement.

23 It is just before you get into --

24 MADAM CHAIR: Before the preamble? Mr.  
25 Martel's copy doesn't have it.

1 MR. COSMAN: Oh, all right, let me just  
2 make sure.

3 ---Discussion off the record.

4 MS. BLASTORAH: Madam Chair, I haven't  
5 marked my copy, you can have it.

6 MADAM CHAIR: Thank you very much.

7 MR. COSMAN: (handed)

8 MADAM CHAIR: Thank you very much.

9 DIRECT EXAMINATION BY MR. COSMAN:

10 Q. Mr. Innes first. Mr. Innes, you are  
11 Manager of forestry of Abitibi-Price Inc. and, as is  
12 described, a company which has forest mill operations  
13 in many parts of Ontario, eastern Canada and in  
14 Manitoba?

15 MR. INNES: A. Yes, that is correct.

16 Q. Is your machine on?

17 A. It's on.

18 Q. You are a registered professional  
19 forester and a graduate in forestry from the  
20 University of Toronto, you also have a Master's Degree  
21 in forest economics?

22 A. That's correct.

23 Q. You have experience as a research  
24 officer with the federal government and you have also  
25 worked with the Ministry of Natural Resources in a

1 number of locations including northern Ontario?

2 A. Correct.

3 Q. And latterly you served as regional  
4 forester for the northern region?

5 A. Correct.

6 Q. When was that, sir?

7 A. You are testing my memory, Mr.

8 Cosman, 1980 would have been the last year that I was  
9 employed with the Ministry of Natural Resources.

10 Q. All right. And you have indicated  
11 that you joined Abitibi-Price in 1980 and you recently  
12 assumed the position that you've just described as  
13 manager of forestry to the company?

14 A. Yes.

15 Q. And what are your responsibilities in  
16 that position?

17 A. My primary responsibility is to  
18 design and to implement forest policy across the  
19 company's forestry operations.

20 Q. You are past President of the Ontario  
21 Professional Foresters Association and a member of the  
22 Canadian Institute of Forestry and you also hold some  
23 graduate degrees in business administration in addition  
24 to your degree in forestry?

25 A. Yes, that's correct.

1                   Q. Mr. Munro, you are employed as chief  
2 forester, as I understand, with Boise Cascade Canada  
3 Limited?

4                   MR. MUNRO: A. That's correct, Mr.  
5 Cosman.

6                   Q. And you are located in the Woodlands  
7 Division of that company in Kenora?

8                   A. That's correct.

9                   Q. Your own background is in forestry  
10 where you obtained your Bachelor of Science in forestry  
11 at Lakehead here in Thunder Bay?

12                  A. Yes, Mr. Cosman.

13                  Q. Sir, in your present position as  
14 Chief Forester for the company, what are your  
15 responsibilities?

16                  A. My primary responsibility is to  
17 ensure that all company timber management activities,  
18 access, renewal, maintenance and protection are  
19 conducted in accordance with the approval of the plans  
20 that we produce for the Ministry of Natural Resources.

21                  Q. All right. Now, sir, I understand  
22 that you have prepared jointly a set of overheads that  
23 you are going to use today to illustrate your evidence  
24 and there are two documents.

25                  The first is a set of overheads to which

1       you will describe, as I understand it, and I will say  
2       it for the record, an integrated resource plan system  
3       for timber management and that is the description of  
4       the new plan that you have prepared, the planning  
5       system that is being proposed by Industry and which is  
6       the subject of the evidence in Panel 10?

7                   A. Yes, that's right.

8                   MR. COSMAN: So perhaps that set of  
9       overheads that illustrates that for the purposes of  
10      this overview could be marked, Madam Chair, as the next  
11      exhibit and I wonder if -- I provided copies, Madam  
12      Chair, already to my friends and I would provide now  
13      three copies to the Board.

14                  MADAM CHAIR: That will be Exhibit 1114.

15      ---EXHIBIT NO. 1114: Set of overheads re an integrated  
16                               resource plan system for timber  
                              management.

17  
18                  MR. COSMAN: In addition to that and in  
19      relation to that and as part of the planning system  
20      that you have prepared, you have prepared on three  
21      pages a timetable for plan preparation. I wonder if  
22      that timetable for plan preparation could be marked as  
23      the next exhibit.

24                  MADAM CHAIR: That's Exhibit 1115. What  
25      are we calling that, Mr. Cosman?

1 MR. COSMAN: Timetable for plan  
2 preparation, the Industry proposal.

3 ---EXHIBIT NO. 1115: Timetable for plan preparation,  
4 the Industry proposal.

5 MR. COSMAN: Now, I am going to turn to  
6 Mr. Innes and in a slightly different fashion from that  
7 which the Board has had the experience of in the past,  
8 I am going to ask Mr. Innes if he would take the Board  
9 through the proposal, from time to time I will  
10 intervene with questions and, Mr. Munro, where you  
11 consider it appropriate, will also intervene but I  
12 wonder if you could lead the discussion and describe  
13 the overview of the planning system to the Board.

14 MR. INNES: Certainly, Mr. Cosman. Madam  
15 Chair, Mr. Martel, before describing the forest  
16 industry's proposed timber management planning system,  
17 I would like to begin by providing the Board with an  
18 appreciation of why we thought a change from the MNR  
19 system was desirable. Perhaps if I could start that  
20 way I will provide the background for what we have to  
21 lay before you this afternoon.

22 Timber management planning for Crown  
23 lands in Ontario is not something new to the forest  
24 industry. Company foresters have been responsible for  
25 the preparation of management plans for their company

1 management units for a long time. Furthermore, the  
2 forest industry has been using the new Timber  
3 Management Planning Manual since it appeared in  
4 published form in 1986 and has gained considerable  
5 experience in this application. As a matter of fact,  
6 34 plans have been prepared under this new system.

7 However, it's fair to say that the  
8 current system is not the same planning system the  
9 Industry endorsed when the class environmental  
10 assessment for timber management on Crown lands in  
11 Ontario was first released in December of 1985. In  
12 fact, it has been an evolving system as we have seen  
13 over the last number of years.

14 Q. Certainly over the time that the  
15 hearing has been conducted?

16 MR. INNES: A. Yes, that's quite true,  
17 Mr. Cosman. It is also true to say that the system  
18 works and there can be no doubt that following the MNR  
19 system does produce results and, in fact, we think  
20 there is a track record of success out there and I hope  
21 you agree from the case histories that you saw  
22 presented in the last day, that there certainly is a  
23 methodology and, in fact, results at a ground level are  
24 achievable and are in fact being achieved.

25 However, I stress that it is an evolving

1 system and obviously any new system will have a few  
2 bugs in it. In the Timber Management Planning Manual  
3 for Crown Lands in Ontario is certainly no exception.  
4 This is evidenced by the 41 changes made to the manual  
5 since its inception in 1986.

6 Beyond the tests of workability provided  
7 at a field level, the MNR timber management planning  
8 system has undergone further scrutiny through the  
9 environmental assessment hearing process which has  
10 resulted in further changes beyond the 41 that are  
11 listed in the manual, and evidence of that would be the  
12 area of planning system which they are now working with  
13 and are passing on to the field foresters for  
14 implementation.

15 In other words, MNR is constantly  
16 changing its planning system to better respond to  
17 perceived needs. We, too, agree that it has very valid  
18 elements in it but it can be improved and that  
19 improvement, in fact, can be based on the experience  
20 that we have gone through over the number of years we  
21 have been working in timber management planning.

22 The Ontario forest industry is committed  
23 to the principle that planning is essential to the  
24 orderly management of forest based resources. Sound  
25 planning and modern implementation are essential to

1       measure progress towards complex society goals; there  
2       can no question about that. Furthermore, to the forest  
3       industry sound planning is just plain good business, it  
4       makes sense and we do it.

5               The MNR planning system is structurally  
6       unchanged from the pre-FMA days during which the Crown  
7       was responsible for the preparation of virtually all  
8       the forest management plans in the province with the  
9       exception of some of the company management units.

10              Times have changed, however. Now over 70  
11       per cent of the licensed forest land in the province is  
12       managed by Industry under the authority of the forest  
13       management agreements. The forest industry has assumed  
14       the bulk of the workload in plan preparation and timber  
15       management operations in the province. We have the  
16       practical experience to be able to tell what is  
17       workable at a ground level.

18              We suggest that the evolving role of MNR  
19       as a resource manager on behalf of the public - and I  
20       stress on behalf of the public - is not adequately  
21       reflected in its planning process. Our perception of  
22       the adequate role of MNR is that of an agency which  
23       sets goals and objectives, ensures public scrutiny and  
24       progress towards objectives, reviews and approves  
25       timber management plans, monitors efficacy of

1 treatments, checks compliance with plan contents and  
2 reports on the overall state of the forest resource to  
3 the people of Ontario whose resource it is.

4 It is within this context, within the  
5 context of over ten years of experience in timber  
6 management planning and the FMAs, under the experience  
7 gained with the new Timber Management Planning Manual  
8 for Crown lands, the 34 plans we've prepared, under the  
9 intensive examination of the MNR planning system as put  
10 before this environmental assessment Board hearing,  
11 under an assessment of the evolving role of MNR in  
12 timber management, under belief of the necessity of  
13 planning and under a track record of success that we've  
14 had out there that we bring before you a proposal for  
15 an integrated resources planning system for timber  
16 management.

17 Madam Chair, we are building upon the MNR  
18 system and we think the proposals we are putting before  
19 this Board will have some merit and will further the  
20 process which is now excellent.

21 With your permission, Madam Chair, I will  
22 like to rise and stand to present the overheads and  
23 carry on from there.

24 MADAM CHAIR: Please proceed, Mr. Innes.

25 MR. INNES: Thank you.

1                   After I slowly struggle with the cord  
2                   hopefully this will go better.

3                   To design any system, we felt it was  
4                   necessary to have a statement of intent as to what in  
5                   fact we were trying to do. When we put together the  
6                   statement of intent with the help of the people in the  
7                   forest industry, and we relied upon them them to give  
8                   us their knowledge to see what was really required, and  
9                   the intent that we have is to design a timber  
10                  management system which will meet the requirements of  
11                  the Environmental Assessment Act, to provide a  
12                  continuous and predictable supply of wood for Ontario's  
13                  forest products industry, to provide a formally  
14                  organized structure consistent with EA class  
15                  designation, be simple to understand by the public and  
16                  that's a crucial one to us because we've dealt with the  
17                  public in many, many open houses and on many situation  
18                  on a one-to-one basis and the public must be able to  
19                  understand the system, it has to be simple; to provide  
20                  a meaningful opportunity for public input to the  
21                  benefit of both society and also the resource manager  
22                  who is preparing the plan and managing that resource on  
23                  behalf of the public; to determine whether resource  
24                  management objectives are being met; to be auditable  
25                  for expenditures and results, and I will speak more

1 about that later; to allow for the use of professional  
2 judgment, and you have heard Mr. Waddell talk about  
3 that just a few minutes back; and to be effective at  
4 the operational level.

5 The last thing we need are plans which  
6 are not effective and not useful to the forest manager  
7 to manage the resource. We don't need fake plans is  
8 what it boils down to.

9 MR. COSMAN: Q. What do you mean by fake  
10 plans, Mr. Innes?

11 MR. INNES: A. Mr. Cosman, I am speaking  
12 of a plan that the public can understand so they know  
13 what's going to happen, that the public can understand  
14 so they know what the plan's parameters are based upon  
15 and a plan which is useful for the implementer to be  
16 able to accomplish the goals and objectives set forward  
17 in that plan.

18 MR. MARTEL: You are suggesting no  
19 smoking mirrors?

20 MR. INNES: Correct, sir, we certainly  
21 don't need that.

22 To move the process one step further  
23 towards reality, we have put together components of the  
24 integrated resource management system, the first one of  
25 which is objective definition. We want to clearly

1 define the timber management component of the  
2 resource's goals and objectives.

3 Often there are other resources that we  
4 manage like moose which have a timber management  
5 component of them and we want to be able to very  
6 clearly define what that component is so there is a  
7 clearly stated timber management objective and progress  
8 can be monitored towards getting there, which leads us  
9 into the second system.

10 There must be an evaluation system. We  
11 need to audit the results, to measure progress and to  
12 enable the adjustment of objectives so the specified  
13 goals may be achieved. Very rarely can you get the  
14 goals achieved in a short time span and, therefore, we  
15 have to have incremental goals, progress measured  
16 towards and adjustment of the goals to get to the place  
17 we need to get to.

18 In terms of public participation, we find  
19 this to be very worthwhile, it's necessary, we want to  
20 increase the public participation in the pre-planning  
21 stage under the system we are bringing before the  
22 Board.

23 I spoke a moment ago that the plan has to  
24 be simple and to do that we are going to break it into  
25 a plan, into a database. What people really want to

1 know is what's going to happen where on the ground  
2 when. This has been told to us by time and time again  
3 and in fact we believe it's meaningful; will the road  
4 go here or will it go there, is it coming close to my  
5 cottage or isn't it, is it going to impact upon that or  
6 isn't it, that is what this type of planning will show.

7 The database which is part of the overall  
8 planning system will provide a structured means for the  
9 public to contribute to and to understand the basis for  
10 decisions made about resource management on the  
11 management unit. It's going to provide information  
12 required to support resource management decisions and  
13 provide a means of monitoring progress towards  
14 objectives.

15 To put it simply, it puts everything on  
16 the table. It gives an opportunity for those who want  
17 to know how did you calculate the allowable cut, what  
18 is the moose management strategy for the area and how  
19 does it relate to this management unit. Those things  
20 are answered in the database, they won't appear in the  
21 plan itself.

22 Q. Will both the plan and the database  
23 be wholly open to the public?

24 A. Totally open to the public, Mr.  
25 Cosman, yes.

1 Q. Thank you.

2 A. This is something new and something  
3 which we feel very strongly about and something which  
4 we think will bring us to a point of getting very, very  
5 concrete goals and objectives which are location  
6 specific, and what we are proposing is a multi-level  
7 committee advisory structure.

8 Q. You have just turned over to the next  
9 page of on your overheads; did you?

10 I'm sorry, yes, okay.

11 A. Yes, I did.

12 Q. All right.

13 A. This multi-level committee advisory  
14 structure is called advisory for a very good reason.  
15 The Ministry of Natural Resources has the legal mandate  
16 to manage the resource on behalf of the people of  
17 Ontario and as such must make the decisions in the end  
18 and be responsible for them; however, we see a real  
19 role for the public to make input into the formulation  
20 of goals and objectives and this advisory committee  
21 structure is one way of doing that.

22 Currently, there is no formal requirement  
23 for provincial, regional or district committees to  
24 solicit public participation or involvement in goal  
25 setting and the establishments of objectives. In fact,

1       there is some dialogue, but I stress there is no formal  
2       requirement and, furthermore, it's not broken down at  
3       any specific level.

4               We found that committees are usually  
5       established on an ad hoc basis after the particular  
6       issue becomes controversial and we've all heard about  
7       Temagami and the native fishing rights, et cetera, that  
8       happened after the fact.

9               Our proposed change is to establish a  
10      multi-level advisory committee structure at the  
11      provincial, regional and district level. At the  
12      provincial level, we're talking about a senior level  
13      policy committee right here, a regional integrated  
14      resource user committee and at the district level two  
15      committees, a local citizens committee and a technical  
16      subcommittee which would in fact replace the MNR  
17      planning team that is now proposed.

18              The rationale for this is to create a  
19      formal process for the establishment of the timber  
20      management component of overall resource management  
21      goals, and I stress timber management component, so we  
22      have something that's measurable, something that's  
23      traceable and something that you can attach  
24      responsibility to.

25              Also, it ensures a proper regard for

1       those other forest-based resources which influence or  
2       are impacted by the management of the timber resource,  
3       provides a clear identification of management  
4       objectives in a quantifiable manner, as I mentioned,  
5       through an audit process which measures progress  
6       through goal accomplishments and provides for public  
7       involvement in an equitable and open manner.

8               I shall describe, Madam Chair, each of  
9       these major committee structures at each of these three  
10      levels here.

11             At the provincial level, the senior level  
12      policy committee encourages societal involvement at a  
13      very senior level and I think it would be appropriate  
14      to have people on this committee such as Mr. Huff of  
15      the Forests for Tomorrow, such as a senior  
16      representative of the Association of Chambers of  
17      Commerce, such as somebody from the Parks Council and  
18      we made some suggestions in our terms and conditions of  
19      what the appropriate membership might be for this level  
20      of committee, but it is senior people who deal on a  
21      provincial-wide basis.

22             As such, it provides an opportunity for  
23      single purpose interest groups, it provides a format  
24      for input into government policy, is provides  
25      opportunity for interest group commitment to policies

1 formulated since, in fact, they would be involved in  
2 this, have a stake in this and provides continuity of  
3 policy development and review and perhaps very  
4 importantly, allows for scrutiny of the policies and  
5 examination of the inter-relationship between them.

6 Some of the types of things that I think  
7 might be looked at here for a start would be a review  
8 of MNR policies, such as old growth, as I understand  
9 they are developing a policy on that. There are others  
10 no doubt that will have to be gone through in a very  
11 organized fashion, so we know at a provincial level how  
12 the moose and wildlife policies relate to timber  
13 management policies, relate to old growth, relate to  
14 parks policies and be able to get some sense overall of  
15 how these things inter-relate with each other.

16 Also at a provincial level, there be a  
17 technical committee provided here and the job of this  
18 committee is to review and update guidelines and  
19 manuals and I will explain to you in just a moment what  
20 we have in mind about guidelines and manuals. This  
21 committee would operate on a provincial-wide basis,  
22 would contain the experts in the appropriate technical  
23 field, professional field, and would make the  
24 guidelines the cutting edge of knowledge in that  
25 particular area.

1 MR. MARTEL: Where would they be drawn  
2 from, universities and so on or just staff of various  
3 levels of government and industry?

4 MR. INNES: Mr. Martel, our suggestion is  
5 that they come from wherever it's most appropriate with  
6 the greatest degree of authority and we have set some  
7 criteria in terms of they must have a certain level of  
8 academic standing, they must have some degree of field  
9 practitioner experience and they must be recognized in  
10 their field as being the top level people within that  
11 particular field. Beyond that we have not restricted.

12 In my mind, if somebody who was the best  
13 person there was in moose management happened to be in  
14 Sweden, I would see it appropriate that we retain that  
15 person for a certain length of time to assist these  
16 things being developed. So it would not be limited in  
17 scope at that rate. We are looking for the best.

18 I will explain further how this committee  
19 would work when we get to the section on guidelines.

20 MR. COSMAN: Q. So you have just dealt  
21 with the two components at the provincial level. Are  
22 we now going to the regional level?

23 MR. INNES: A. That's correct, yes, we  
24 will now draw our attention to the regional level.

25 It is our contention that regions aren't

1 the same; in fact, northwestern Ontario is not the same  
2 as northeastern Ontario, maybe tourism in the northwest  
3 is more important than it is in the northeast, timber  
4 types are different, there are more lakes, et cetera.  
5 So we are proposing that there may be a regional  
6 committee called the Regional Integrated Resource User  
7 Committee which would function at each one of the MNR  
8 regions and this committee would provide a public  
9 format to review and translate the provincial goals and  
10 objectives into a regional real world environment.

11 In fact, you might want more emphasis on  
12 moose in one region than other because of the timber  
13 types being different and the moose herd being  
14 different, the hunting pressures being different, et  
15 cetera.

16 It also provides for a direct user  
17 involvement in regional policies, facilitates user  
18 commitment to regional MNR programs, provides regional  
19 continuity and provides for an adaptive management  
20 process by taking the big, broad provincial objectives  
21 and goals and try to quantify them on a more regional  
22 basis.

23 Again, I am looking for people that can  
24 operate on more than one management unit or on a  
25 one-town basis, but much the same type of

1 representation in terms of across the whole spectrum as  
2 we talked about at the approval level.

3 This committee would obviously have to be  
4 pretty well educated by MNR in what their regional  
5 policies and goals were and understand how these  
6 interacted and be able to provide some very explicit  
7 advice to MNR and as we go through our planning process  
8 you will see how we see this thing working.

9 Again, I stress it's advisory to the  
10 Ministry of Natural Resources. I am now going to move  
11 to the district level.

12 Q. Is this the next overview slide which  
13 you indicated the two committees would replace the MNR  
14 planning team?

15 A. Quite correct, Mr. Cosman, yes.

16 At the district level, as Mr. Cosman  
17 says, replacing the planning team at district level are  
18 two committees. One, the district local citizens  
19 committee which provides for direct user involvement.  
20 These are people with an interest in the local  
21 management unit. It deals with their real issues,  
22 facilitates user commitment to plans.

23 We think it would enhance the role of MNR  
24 as a regulator, provides for public education of the  
25 planning process which is very important because right

1 now there is a knowledge gap there and, also, often a  
2 gap in knowledge is something which creates fear,  
3 mistrust, lack of understanding - and we don't need  
4 that - provides for continuity through user involvement  
5 in consecutive plans.

6 And this means that this would not be a  
7 committee which would be formed just for the  
8 preparation of a plan and then disappear after that;  
9 this committee would remain in place for the five-year  
10 life of the plan and might in fact deal with more than  
11 one plan. So they would have a pretty broad range of  
12 knowledge at a local level.

13 Supporting the district local citizens  
14 committee and the plan author would be a district  
15 technical group which provides technical advice to the  
16 plan author, encourages a broad range of technical  
17 expertise. We have used the term broader here to  
18 indicate that is not just the Ministry of Natural  
19 Resources. These may be technical experts in tourism,  
20 they may come from Ministry of the Environment, they  
21 may come from wherever its required, academia, to  
22 provide technical expertise as required for the  
23 preparation of this plan.

24 It provides an opportunity to deal with  
25 specific field prescriptions because they would be

1 focussed at a management unit level for a particular  
2 plan and, furthermore, their interaction with the  
3 various technical experts would encourage cross-over  
4 between the forest-based resource programs.

5 As we are planning our mandate is timber  
6 management, but the timber management component of the  
7 other resource-based goals and objectives and programs  
8 have to intermesh here.

9 These three committees, Madam Chair, Mr.  
10 Martel, although they appear distinct and separate  
11 actually inter-relate and they feed back and forth to  
12 each other and my colleague, Mr. Munro, a little later  
13 on will describe to you how in fact this occurs. So  
14 they are not isolated committees.

15 Q. The three committees you are  
16 referring to are the provincial, regional and district  
17 level committees?

18 A. That's correct.

19 Q. Thank you.

20 A. And furthermore, I would like to draw  
21 your attention -- we think there is a very big benefit  
22 in having this number of committees and the benefit is,  
23 as on the bottom of the overhead, that it provides for  
24 effective participation of other users or interest  
25 groups at all levels.

1                   The forest industry welcomes this. We  
2                   have dealt with these people, it's not easy but it is  
3                   useful and it's necessary and it does provide for  
4                   effective management and we want to stress that this is  
5                   why this was developed in this particular manner.

6                   Madam Chair, in my earlier remarks I  
7                   spoke about building upon the MNR planning system, a  
8                   system which we acknowledge actually does work and  
9                   works quite well, and to make the transition between  
10                  where we are now in terms of the way we see our  
11                  tri-level committee structure going and what is new  
12                  with the planning system, I would like to bring to the  
13                  Board's attention the sequence of planning events to  
14                  develop a timber management plan, and then we will go  
15                  into the next segment here.

16                  We have called this a sequence of  
17                  planning events to develop a timber management plan and  
18                  in fact they are pre-planning components which we have  
19                  identified in terms of background information,  
20                  assembling information and analysis and review.

21                  There is an integrated resource database  
22                  we talked about, again assembly, analysis and review,  
23                  report of past operations and future proposals, plan  
24                  production, plan review and approval. And you might,  
25                  in your wisdom, correctly say that's no different from

1        what MNR does, and you are quite right. Well, what we  
2        are talking about is basically the same system,  
3        however, here's what is new and here's one overhead  
4        that requires no speech.

5                    Q. You are now, sir, going to deal with  
6        the specific changes that Industry is proposing to the  
7        currently proposed MNR system?

8                    A. What I did intend to do, Mr. Cosman,  
9        is to specifically identify what is different between  
10       our proposed system and that of MNR and then I will ask  
11       Mr. Munro to walk the Board through the planning  
12       sequence of events so the Board may understand fully  
13       how these relate to the preparation of a plan.

14                   What is new is the caption: Integrated  
15       Resource Plan for Timber Management Builds Upon  
16       Existing MNR System, however, it's not the same as the  
17       MNR system and there is nine major components which  
18       have been changed.

19                   The nine inter-dependent components are  
20       linked together to form a comprehensive system. May I  
21       stress that they are inter-dependent components, they  
22       are not separate, and as the last bullet indicates each  
23       of these nine changes is introduced as a part of a new  
24       planning system. We said that twice, it's a new  
25       planning system, it's a comprehensive system, and they

1 are collectively necessary for the integrity of the  
2 overall planning system.

3 Q. So you are not suggesting that we  
4 just pick or choose what we want?

5 A. I am certainly not. I would be most  
6 upset if anybody did that.

7 Proceeding further, Madam Chair, with  
8 what is new, here are the nine items. The first one is  
9 the multi-level advisory committee structure which we  
10 just spoke of a moment back. We are talking about a  
11 new system of guidelines, by the way, we will deal with  
12 each of these as we go through the presentation.

13 Areas of concern are treated in our mind  
14 more effectively, there is an enhanced planning  
15 process, a different bump-up process, an independent  
16 audit procedure, increased public consultation,  
17 separation of the plan from the database, and a more  
18 structured plan preparation in terms of public input.

19 Each of these nine things is different  
20 and we will describe them as we go along here.

21 We have a different concept of guidelines  
22 to a certain extent at least than what the Ministry of  
23 Natural Resources does and under our new concept  
24 guidelines are mandatory in their application. And I  
25 shall describe for you now exactly what are these

1 guidelines. I felt it important that I walk you  
2 through this very, very carefully and for that reason  
3 there are a fair number of words on this overhead.

4 Guidelines are something that provide the  
5 boundaries of practice concerning the management of the  
6 forest as it relates to the particular resource to be  
7 managed. So there are boundaries of practice. As  
8 such, each guideline will outline the full spectrum of  
9 techniques available for the management of the forest  
10 to accomplish management goals for that particular  
11 resource.

12 A guideline, because it's different from  
13 the way MNR uses it - perhaps we are going to call it  
14 something different and maybe you would prefer to call  
15 it resource manual - will embody the most current  
16 knowledge available on the management of that  
17 particular resource.

18 And we have provided, as you have seen in  
19 the provincial technical committee, a mechanism -- a  
20 formal mechanism for ensuring that guidelines are in  
21 fact kept current and reflect the most current level of  
22 management practice.

23 A guideline will provide a framework  
24 within which a professional at a field level will be  
25 able to make professional decisions about how to manage

1 the resource. And a professional here doesn't mean  
2 necessarily solely a forester, it will be the  
3 biologist, the recreation manager, whoever else deals  
4 with a forest timber component in their overall  
5 resource strategy.

6 Guidelines, because they are available to  
7 the public and are a part of the database of the  
8 integrated resources plan for timber management, will  
9 spell out what types of practices are acceptable for  
10 use in the management of the forest estate.

11 But I want to stress something which I  
12 know Dr. Baskerville stressed as well, that a guideline  
13 is not a cookbook approach to forest management or  
14 timber management, in fact it has two purposes: One,  
15 is to ensure that the professional practitioner always  
16 has the most up-to-date information at his or her  
17 command so that the on-site decisions can be made in  
18 the most appropriate manner in the light of the best  
19 information available and; secondly, to keep the public  
20 informed of the options available for management.

21 We feel we must never lose sight of the  
22 fact that it's the public's forest and they must know  
23 what is going on there and what the technical options  
24 are for the management of that resource.

25 And within this context we are suggesting

1       that practice in the forest be mandatory as outlined  
2       within the context of these guidelines or resource  
3       manuals.

4                   I am going to switch, Madam Chair, to  
5       item No. 3 which is the area of concern process. And  
6       under the current system the AOC process requires  
7       individual documentation and analysis of alternatives  
8       for every AOC regardless of whether the planned  
9       operations protect the value as per the guidelines.

10                   Q. Why is there anything wrong with  
11       that?

12                   A. We have great difficulty, Madam  
13       Chair, in dealing with the extraordinary number of AOCs  
14       that we see being generated. Some management plans  
15       that are being prepared now have 600, a thousand or  
16       more AOCs and we see this being a very difficult  
17       process to implement at a field level, even though MNR  
18       is doing its best to lump some of the AOCs and deal  
19       with them on a collective basis.

20                   We thought hard about this and we tried  
21       to design a more streamlined fundamental principle that  
22       would treat values in a way which is meaningful, and we  
23       have come up with something different as a result of  
24       this.

25                   I am going to try and tie something

1 together here for the Board and; that is, we will deal  
2 with the AOC process in item No. 3 and we will tell you  
3 what happens if we hit a problem, which is item No. 4,  
4 enhanced planning process, and then we will tell what  
5 happens if that can't be solved and goes into a bump-up  
6 procedure.

7 So as an overview there are three steps  
8 to this overall process: One, is a new way of looking  
9 at areas of concern which are really values; what  
10 happens if in fact we run into a problem and they  
11 really do become an area of concern, and what we do  
12 about that and then, lastly, what avenues are there to  
13 bump-up if in fact no resolution of the problem is  
14 there.

15 So given those three distinct components  
16 which will be dealt with in sequence, we will deal  
17 first of all with the AOC process. And the proposed  
18 change here really centres around the identification of  
19 values.

20 I am going to ask my colleague, Mr.  
21 Munro, if he would deal with this and provide the Board  
22 with a little more detail in terms of how we propose to  
23 go about this.

24 MR. MUNRO: A. Thank you, Mr. Innes.

25 Madam Chair, Mr. Martel, one of the key

1 elements that is different from the Industry proposal  
2 and that that you have heard MNR present over the  
3 last -- within their evidence, is that we see the AOC  
4 process as being divided into three phases. The first  
5 phase is the identification of values, the second phase  
6 is what do you do if a value is not protected or it is  
7 perceived that it is not protected --

8 Q. Is it both of those things, Mr.  
9 Munro? Why did you say what do you do if a value isn't  
10 protected, or is perceived not to be protected?

11 A. It's both of the above.

12 Q. All right.

13 A. Okay. And that is what Mr. Innes  
14 referred to as the enhanced planning process.

15 The third phase is bump-up; that is,  
16 really what we consider a last resort after all other  
17 attempts to resolve the issue have failed.

18 The identification of values is key  
19 within the Industry proposal. As we provided evidence  
20 in Panel 10 or will be providing evidence in Panel 10,  
21 we see the identification of values initially being the  
22 responsibility of MNR. They provide the initial map as  
23 you have seen as a values map. That values map is  
24 presented to the advisory committees, the advisory  
25 committees, both at a local and a regional level, have

1 the opportunity to identify additional values. We do  
2 not see the identification of values as a one-step  
3 process. The identification of values occurs  
4 throughout the planning process and throughout the plan  
5 preparation period.

6 Once a value has been identified, the  
7 plan author applies the guidelines and the planning  
8 process to protect the value. The plan author does not  
9 do this in isolation, he does it in conjunction with  
10 the appropriate people. In some cases that appropriate  
11 person could be a tourist operator, it could be a  
12 technical person who has some technical expertise from  
13 MNR or, as Mr. Innes, indicated, technical expertise  
14 outside MNR, it could be MOE.

15 Working with the individuals that have  
16 the technical expertise, the plan authors puts together  
17 a plan activity. To give you an example, it could be  
18 that a tourist operator identifies an outpost camp as  
19 being a value. His concern could be the possibility  
20 that increased access could have an adverse effect on  
21 them. The plan author and the tourist operator would  
22 sit down with the guidelines, they would have some  
23 technical expertise if required available from OMNR and  
24 they would work out a plan activity. If that plan  
25 activity alleviated the concern that the tourist

1 operator had, in fact we no longer have an area of  
2 concern, what we have is a value that has been  
3 protected through a plan activity.

4 The second phase of that is what happens  
5 if other people have concerns about what that plan  
6 activity is, and that leads us then to the utilization  
7 of the enhanced planning process where a planned  
8 operation will not properly protect the value or is  
9 perceived not to properly protect the value by other  
10 individuals of the public, and I will call on Mr. Innes  
11 to explain the benefits of this and go on.

12 MR. INNES: A. Mr. Munro, thank you.

13 So what we are looking at, Madam Chair,  
14 is a way in which we identify values and in fact we  
15 protect those in the planning process as a normal  
16 course of planning activity. This happens prior to the  
17 preparation of the plan. So identification and the way  
18 of handling values occurs prior to the plan being  
19 written, so it doesn't come up as a surprise to  
20 anybody, it's an up-front evaluation.

21 And we think this has some benefits  
22 attached to it. One is that it focuses on the issues  
23 or concerns where in fact you can't handle values  
24 through the normal planning process through the  
25 application of the guidelines, so you are not treating

1 everything as a problem, you are treating only the ones  
2 which do become problems as problems.

3 Q. So taking, just as an example, a  
4 situation where there may be 1,000 different things  
5 identified as values they don't all become, as they are  
6 now, areas of concern and treated as areas of concern,  
7 only those which aren't resolved through the  
8 application of guidelines become areas of concern or  
9 subject to a separate treatment?

10 A. The term area of concern is now, as I  
11 construe it, something which means we have a concern  
12 that we must address in a separate way, and that is the  
13 next part I will get to in item No. 4 here.

14 Values are protected in the course of  
15 normal operations as per the guidelines. This cuts  
16 down on the environmental analysis of alternatives,  
17 except where areas of concern issues or new values are  
18 identified and then we think it's most appropriate that  
19 in fact environmental analysis be conducted so a proper  
20 evaluation may be made of it. Furthermore, we deal  
21 with road planning only when it crosses an area of  
22 concern and provides some problems, which will not  
23 otherwise be addressed.

24 It deals with values, as I mentioned,  
25 through a routine process, so it should reduce the

1 numbers of areas of concern, and our estimate is it  
2 will reduce it drastically and that in fact reduces  
3 paper planning of alternatives and concentrates the  
4 effort really on where there are problems.

5 MR. MARTEL: It doesn't reduce the number  
6 of areas - I don't want to use the word concern - but  
7 where values are identified, those values will still be  
8 identified early and in the normal operation resolve  
9 any differences, and if you can't, you then move it on?

10 MR. INNES: Very, very much so, Mr.  
11 Martel. You still have your values map. This value  
12 map, as you will see when we go through the planning  
13 process, it goes through a number of levels of  
14 scrutiny. Those values are identified and they have to  
15 be taken care of as a normal part of the planning  
16 process.

17 So, no, it doesn't skip over values any  
18 more than -- it handles them on a routine basis and  
19 only when this area of concern pops up is when we have  
20 a problem.

21 MR. COSMAN: Q. Let me ask you this, Mr.  
22 Innes: Will the reduction in the number of areas of  
23 concern result in a reduction of the number of values  
24 or in a diminished way in which those values are  
25 protected?

1 MR. INNES: A. No, definitely not. No,  
2 the values are still there and in fact they will be  
3 protected, otherwise we have an area of concern.

4 Now, to get to Mr. Martel's point of what  
5 does happen. If we have got an area of concern this is  
6 what we propose happens. Under the current system all  
7 areas of concern are treated as being of equal  
8 importance.

9 Q. You are now turning to item 4 in the  
10 enhanced planning process?

11 A. That's quite correct, yes, and this  
12 is the middle part of the tripartite process of the  
13 identification of values, what happens if we hit an  
14 area of concern, and the last one which we will talk  
15 about in a moment, will be leading to bump-up.

16 So in this case we are talking about any  
17 value which has been identified as requiring a degree  
18 of protection beyond that provided in the guidelines  
19 will automatically - I stress automatically - be  
20 subjected to what we call an enhanced planning process.

21 Q. Is that enhanced process described in  
22 detail in Panel 10?

23 A. Yes, it is, and Mr. Munro can give us  
24 a flavour of that right now, Mr. Cosman.

25 MR. MUNRO: A. Thank you.

1                   As I explained before, the identification  
2 of values is essential within our planning process that  
3 we have designed. You identify the value, you plan  
4 your activities, people have the opportunity to review  
5 that and identify concerns.

6                   We are to the stage now where in the  
7 planning process we have put together a plan activity,  
8 we have produced a draft plan and an individual has a  
9 concern with regards to the plan activity within that  
10 draft plan.

11                  We may have accommodated the tourist  
12 operator, a local citizen comes in and says: I don't  
13 really like what you are planning on doing, I have a  
14 concern. My concern could be I want to go hunting and  
15 fishing in that area myself, I do not like having the  
16 road closed to the general public.

17                  At this point in time that party or  
18 individual identifies that concern, in some cases he  
19 will write that concern down, send it to the district  
20 manager or the planning author and ask for it to be  
21 considered. In some cases the individual will not  
22 write it down. At that time it is the responsibility  
23 of the plan author or the district manager to ensure  
24 that that concern is documented. They have to deal  
25 with the concern.

1                   There is a number of steps, as you can  
2                   see on the overhead, that we have developed which  
3                   provide a structured process for dealing with a true  
4                   area of concern.

5                   The first step from an operating  
6                   standpoint is to ensure that you understand what the  
7                   individual's concerns are, therefore, we are  
8                   recommending that an on-site inspection of the value by  
9                   the concerned party, the plan author and, if necessary,  
10                  OMNR take place, thereby we are dealing with few  
11                  situations, we have a clear understanding what the  
12                  concerns are, the individual can and will be provided  
13                  with the opportunity for the plan author to provide an  
14                  explanation of why the plan activity occurred the way  
15                  it did.

16                  After the field inspection the plan  
17                  author is obligated to provide a written report of the  
18                  concern and a proposed solution in the plan. This is  
19                  made available to the district manager, he ensures that  
20                  there has been an attempt by both parties to resolve  
21                  the concern by discussing the issue with both of them.

22                  The party with the concern will have the  
23                  opportunity to provide his or her preferred solution as  
24                  well. The district manager takes both options, looks  
25                  at them, assesses the merit of each and puts together a

1 preferred solution of his own.

2 We are recommending this simply because  
3 it is OMNR's mandate to manage and ultimately make the  
4 decisions in the end, thereby not favoring either  
5 party.

6 If the preferred solution that the  
7 district manager puts together is deemed unacceptable  
8 by either party - and we would hope this would be  
9 exceptional cases - the bump-up provision could apply,  
10 or at least a request for bump-up could be instituted  
11 through the Ministry of Environment.

12 With that I would like Mr. Innes to carry  
13 on with the benefits and we will explain the bump-up  
14 procedure next.

15 MR. INNES: a. The benefit of this, in  
16 our mind, is that it focuses on areas where there are  
17 problems, in other words areas of concern, and that it  
18 provides a structured process for conflict resolution.

19 It's important to recognize that this  
20 proposal provides an intermediate step for resolution  
21 between perceived conflict and bump-up and that you  
22 don't go straight to bump-up.

23 I think it has been our experience that  
24 an awful lot of things can be resolved at ground level  
25 by seeing what the problem is, by recognizing it, by

1        talking it through and looking for a way to find a  
2        solution. We don't need to unnecessarily burden the  
3        process with bump-up, even though it may be  
4        well-intentioned, yet there has to be a way to get  
5        there and I will describe that as the next overhead.

6                        There almost must be a court for us to  
7        appeal and I guess bump-up provides that. Under the  
8        current system, the bump-up provision can be applied at  
9        any stage during the planning process. There are  
10       proposed changes, parties or individuals can request a  
11       bump-up at any stage during the planning process, no  
12       change. MOE would forward the request to the plan  
13       author and the plan author can incorporate the concern  
14       into the plan or use an enhanced planning process and  
15       MOE considers the bump-up request after the final plan  
16       is produced.

17                      I am going to ask Mr. Munro to carry on  
18       with this example here and explain what would happen,  
19       in fact, if you couldn't reach a consensus as proposed  
20       by the district manager in his example. Mr. Munro.

21                      MR. MUNRO: I will go back to my example  
22       of the tourist operator and the plan author putting  
23       together a plan activity which a local individual had  
24       some concerns about.

25                      If the enhanced planning process failed

1 to resolve the individual's concern, the preferred  
2 solution recommended by the district manager would go  
3 into final plan. The individual would be informed of  
4 that. At that time he could request a bump-up request  
5 from MOE. When MOE receives the bump-up request they  
6 would forward it to the plan author, they would forward  
7 it to the district manager. The plan author could  
8 exercise the operate option of incorporating the  
9 concern and the proposed solution of party into the  
10 final plan.

11 Q. What happens if the plan author  
12 doesn't do that?

13 MR. MUNRO: A. Failing that, an  
14 individual can take it to a bump-up request at which  
15 time all the documentation that has occurred as a  
16 result of the enhanced planning process would be  
17 forwarded to MOE and there would be the opportunity for  
18 MOE to review the documentation, discuss the situation  
19 with both parties, as well as the district manager  
20 prior to making their decision in terms of bumping up  
21 the plan, a component part of the plan for a specific  
22 activity that's going to occur in the plan.

23 It is through this process that we hope  
24 that by applying a rigorous planning system that  
25 individuals will make every effort to resolve the

1 situation prior to plan approval and prior to the final  
2 inspection date.

3 With that, Mr. Innes will carry on.

4 MR. INNES: Thank you, Mr. Munro.

5 One of the benefits are that it requires  
6 the parties to attempt to resolve areas of concern,  
7 that it provides for complete documentation of the  
8 concern through the enhanced planning process so that  
9 the Ministry of the Environment has some background  
10 information to work on if, in fact, it wants to  
11 consider whether or not the bump-up was really to take  
12 to the ultimate solution and allows the process in the  
13 final plan to be completed prior to the Minister of  
14 Environment's ruling on the request, so the plan can  
15 can keep being put together rather than being stalled  
16 as this is being considered.

17 The provision of data to the Ministry of  
18 the Environment allows them to go through the  
19 consideration process without halting anything.

20 MR. MARTEL: Can I go back just a moment.

21 MR. INNES: Certainly, sir.

22 MR. MARTEL: When you get an item or an  
23 issue, if you resolve it where does it show up in the  
24 documentation, on the values map or is there  
25 supplementary documentation or how does one know that

1           that in fact has been resolved and can look at all of  
2           that if they want?

3                       MR. INNES: Very good question and we  
4           have two proposals to answer that. One is that the  
5           documentation in terms of enhanced planning would form  
6           part of the database for the plan itself, it would be  
7           resident in the database and you will see how that fits  
8           into the overall planning process when Mr. Munro gets  
9           to this, as to how that flows in the database.

10                      Secondly, we are proposing that there be  
11           a table in the plan itself, the one that's out there  
12           for the public that identifies any of these areas of  
13           concern which have not been completely dealt with at  
14           this time and show the stage they are in in terms of  
15           they have gone to MOE, it has been decided, it's going  
16           to bump-up or whatever.

17                      It falls in with our intent, Mr. Martel,  
18           that there be nothing hidden and everything be  
19           available for public security and information.

20                      With that, Madam Chair, if I may, I'd  
21           like to move onto No. 6 which is the independent timber  
22           management audit which is on the next page you have in  
23           front of you.

24                      This is a very important part for us.  
25           Under the current system in this overhead, which I'm

1 putting up now, FMA holders are formally audited every  
2 five years and the next five-year plan is prepared  
3 prior to the results of that audit being available.  
4 Crown or company management units are not routinely  
5 audited, but in fact they do occasionally get audited I  
6 must confess and they should be.

7 We propose that a formal forest  
8 management audit will be conducted on every management  
9 unit by an outside independent audit team. The audit  
10 will be timed as such that it would be on the last two  
11 years of the previous plan and the three years of the  
12 current plan and there is a reason for doing this --  
13 there are two reasons actually.

14 One is so that the audit team would be  
15 able to compare the plan before with the one currently  
16 going on so that they can see whether or not there was  
17 a change in objectives as a result of the previous  
18 audit and how the results were being tied into those  
19 changed objectives; and, secondly, so that the data  
20 would be available to the plan author for incorporation  
21 into the plan new plan being prepared. This is  
22 possible by having an independent audit team do this.

23 So there's some very significant benefits  
24 in this process, the way we see it anyway. One, that  
25 it utilizes actual data for the audit, like you are

1 collecting things that are ongoing still and current  
2 and relevant towards the goals and objectives which  
3 have to be changed in the new plan, it provides data  
4 for all management units instead of just FMAs which is  
5 important in our mind and it enables the plan author to  
6 use the audit for the new plan preparation and it shows  
7 changes in plan objectives as a result of an audit  
8 because of the two/three split in terms of two years of  
9 the old plan and three years of the current plan being  
10 audited and I think there's some real valid reasons for  
11 this audit.

12 The first one is that the forest industry  
13 is proud of its accomplishments out there at a ground  
14 level, yet rather chagrined that the public in general  
15 does not recognize these accomplishments for very many  
16 reasons and perhaps is suspicious of the data and not  
17 having data and being suspicious gives us much  
18 difficulty in getting the credibility in terms of a  
19 track record and we think this would help to alleviate  
20 that by collecting figures in this manner.

21 Secondly, there has to be a perception by  
22 the public as well as a reality that the figures  
23 provided in the audit are untainted and we think an  
24 independent audit would help that perception to be  
25 enhanced, that these are independent audits and the

1 figures are clean and in fact they reflect what is  
2 happening on the forest out there.

3 Thirdly, independence of the audit team  
4 from MNR frees them from a bureaucratic process and  
5 allows them to do it quickly and to provide the results  
6 quickly so they can be incorporated into the  
7 preparation of a new plan. We are quite thrilled with  
8 the idea and think this is very worthwhile to consider  
9 extremely seriously.

10 MADAM CHAIR: Mr. Innes, who comprises an  
11 independent audit team?

12 MR. INNES: We're suggesting, Madam  
13 Chair, in our terms and conditions that MNR be charged  
14 with drawing up a set of guidelines which would be  
15 sufficiently detailed to allow an audit team to act  
16 independently and that they in fact appoint the audit  
17 team since it's their responsibility for the management  
18 of the resources.

19 MR. COSMAN: Q. Will they be people  
20 within the Ministry, Mr. Innes?

21 MR. INNES: A. I don't think the  
22 Ministry people would be precluded from this, though I  
23 suggest it would be probably appropriate to be outside  
24 the Ministry of Natural Resources.

25 MR. COSMAN: I can advise the panel that

1 we will be expanding upon this in our ultimate witness  
2 statement and in the evidence that we provide.

3 MR. INNES: If I could invite Madam Chair  
4 to turn the page to No. 7, increased public  
5 consultation. I spoke about this as being one of our  
6 intents in terms of designing the planning system.  
7 Under the current system, public information centres  
8 are usually held after the plan is completed and the  
9 public as a result has somewhat limited opportunity to  
10 comment on the background information or database.  
11 The plan is virtually presented as a fait accompli and  
12 I would like to comment on that.

13 Our proposed change is that a public open  
14 house and review of the background information and data  
15 base prior to the production of a timber management  
16 plan be held by the Ministry of Natural Resources and  
17 when Mr. Munro describes the plan preparation process  
18 you will see what timing that occurs in and how it  
19 occurs.

20 Furthermore, we think there should be a  
21 second public open house and in this case it review the  
22 timber management plan, in this case be hosted by the  
23 plan author, be it the plan author from MNR or be it  
24 from the forest industry and specifically our intent is  
25 to make the plan author responsible for what's in that

1 document and to provide a focal point for the public to  
2 fasten upon that: Please explain to me what's in the  
3 plan, how it works and in fact who is responsible for  
4 it. So we want to link the plan preparation to  
5 responsibility and tie the plan author in this way into  
6 responsibility for accomplishment of the objectives.

7 What we don't want is an amorphous face  
8 that draws a plan up and a diffusion of responsibility  
9 as a consequence of that process. We want somebody  
10 responsible and we are saying, on the forest industry  
11 part, we are prepared to stand up, be counted, take  
12 responsibility and to take the knocks if things go  
13 wrong.

14 The benefits here are that it provides  
15 for earlier input by the public in the planning  
16 process, it allows for earlier identification of  
17 problems and issues because these can be debated at the  
18 first open house and also at the second open house. It  
19 provides opportunity for the development of compromised  
20 solutions and you will see how this occurs because of  
21 the interaction with both the local citizens committee  
22 as the plan is being prepared before it goes public and  
23 also with the integrated resource users committee when  
24 concerns arise.

25 It increases public credibility in the

1 planning process and I spoke, before Madam Chair, about  
2 the necessity of having this occur. It provides public  
3 education of the process, clearly focuses  
4 responsibility to the plan author, as I spoke to a  
5 moment ago, and places more emphasis on the operating  
6 components of the plan.

7 The separation of the database from the  
8 five-year operating plan is the next change we have  
9 from the way things are currently done. Under the  
10 current system management direction and the translation  
11 of provincial goals and objectives are incorporated  
12 into the timber management plan.

13 Our proposed change is in the background  
14 information and database. The database would contain  
15 provincial goals and objectives, the regional goals and  
16 objectives, technical considerations, inventory,  
17 policies and procedures, other resource -- forest-based  
18 resource policies, et cetera. All these things will be  
19 addressed prior to the actual plan production.

20 Furthermore, they will be updated on a  
21 constant basis so it isn't a one-shot effort here.  
22 This information will provide guidance to the plan  
23 author in the production of the plan for an individual  
24 management unit. So there is a lot of pre-planning  
25 that goes on here with a lot of public input and

1 everything is out on the table in terms of what are you  
2 trying to do, what are the candidate policies and ways  
3 of achieving this and how much public input is  
4 necessary to get this to the author for the plan  
5 production.

6 Q. So, Mr. Innes, if someone wants a  
7 copy of the plan they will get, as I understand it from  
8 your early, in effect a copy of the operating plan, but  
9 if they want to go further they can and then they will  
10 have access to the database?

11 MR. INNES: A. That's quite correct.  
12 Our experience has been that most people want to know  
13 what is in the plan in terms of what's on the ground.  
14 However, there is a segment of the public whose views  
15 must be respected, whose input is welcomed and whose  
16 challenges are valid in terms of what's in the  
17 background, what are you really trying do and how did  
18 you make those technical decisions that allow you to  
19 put in your final solution in the plan.

20 Q. And that latter information will be  
21 found where?

22 A. In the database.

23 Q. Thank you.

24 A. So the benefits as we see them are  
25 the structure's review of MNR objectives, strategies

1 and targets. We think it simplifies the process  
2 because it strings it out a little bit more and makes  
3 it more visible, it separates management and technical  
4 issues from operational matters, provides the  
5 opportunity to modify the database on a continuous  
6 basis without going through a plan amendment process,  
7 because you are not trying to change anything on the  
8 ground, you are trying to update the scientific  
9 database here.

10 It simplifies the Timber Management  
11 Planning Manual and the very complicated document it  
12 now has become, provides for the production of a useful  
13 working plan, by useful I mean useful to the public and  
14 useful to those in the forest industry who have to  
15 implement the plan, and it provides for a continuous  
16 dialogue.

17 I would like to move, Madam Chair, to a  
18 discussion of the plan preparation process which my  
19 colleague will handle, and I under under this  
20 particular item --

21 Q. This is overview No. 9.

22 A. This is overview No. 9, it is up here  
23 now. We want to talk about what's different from the  
24 current system. Where a planning team is assembled, a  
25 great amount of focus is placed upon the preparation of

1 a plan in an 18-month period and the plan is prepared  
2 reviewed, presumably approved, and everything disbands  
3 until the next five-year period where it starts all  
4 over again.

5 Our proposed change is to extend the plan  
6 preparation period to accommodate review of the  
7 background information and database prior to plan  
8 production and I will ask Mr. Munro to walk us through  
9 this process in terms of these story boards behind me  
10 so you can understand how this whole thing fits  
11 together and how these nine changes that we have spoken  
12 about are incorporated into a step by step planning  
13 process.

14 MR. COSMAN Madam Chair, that will be the  
15 separate exhibit Timetable for Plan Preparation,  
16 Exhibit 1115, which is in the same language as the  
17 story boards that Mr. Munro will refer to.

18 If you wanted to follow it in front of  
19 you, if you turn to Exhibit 1115 you have the timetable  
20 under this proposed planning system set out and that is  
21 what I understand Mr. Munro will address at this time.

22 MR. MUNRO: Thank you, Mr. Innes.

23 Madam Chair, Mr. Martel, before I start  
24 with the Timetable for Plan Preparation, I would like  
25 to explain briefly how we got to where we are today

1 with our proposal.

2 The timetable was not developed in  
3 isolation by a small group of industrial foresters, we  
4 consulted with many industrial foresters who have  
5 actively prepared plans under the current process.

6 In discussions with those individuals two  
7 things became quite clear. One, as Mr. Innes indicated  
8 before, we are dealing with two different publics. The  
9 the first public wants to know exactly what's going to  
10 happen, where it is going to happen, and how it is  
11 going to effect them. The second segment of the public  
12 is concerned with broader issues, whether they be on a  
13 district-wide basis or regional or provincial basis.

14 When we devised or designed our timetable  
15 for plan preparation, we wanted to do it to ensure that  
16 the public, whether one segment or the other, could  
17 have a basic understanding of the entire planning  
18 process and a timetable that would encourage  
19 individuals to actively participate during the plan  
20 preparation period. To that end we have extended the  
21 time preparation period to 28 months as opposed to the  
22 18 months of the current system.

23 The main reason for the extension of the  
24 plan preparation period is to allow one year as  
25 illustrated on this board for pre-planning. During the

1 discussions with the Industry foresters it was felt  
2 that if anything needed more time and more emphasis it  
3 was on the pre-planning components.

4 With that I would like to go through step  
5 by step with associated dates on how plan preparation  
6 occurs.

7 On January 31st, during the first year,  
8 as indicated in MNR's terms and conditions, a list of  
9 all integrated resource plans for timber management  
10 will be made available to the public in terms of on a  
11 provincial-wide basis. At the same time that's  
12 occurring, the local district manager, as he does now,  
13 provides a notice to the local people, an invitation to  
14 participate. That invitation to participate in all  
15 likelihood will occur the same way it does now, letters  
16 will be sent out to people with known interests, local  
17 advertisements will occur on the media, and really  
18 there is no change in that.

19 What has changed at this point in time is  
20 the introduction of the integrated resource user  
21 committee at a regional level. The district -- or the  
22 district manager will be provided with some  
23 interpretation of regional goals and objectives. This  
24 will be accomplished by the regional director  
25 assembling the committee together, explaining to them,

1 educating them on terms of what the provincial targets  
2 are, what the provincial policies are, how that  
3 translates down into regional goals and objectives, and  
4 providing some basic direction to the district manager  
5 and the plan author on how the advisory committee at  
6 that level feels that those objectives and goals can be  
7 translated down to a district and management unit  
8 basis.

9 We feel this is quite key in a sense  
10 that, as was explained to you within MNR's evidence,  
11 there is a basic framework for planning and there is  
12 four components of planning; there is provincial basis,  
13 a regional, district and field implementation level.  
14 All four levels are important to ensure that we have  
15 good sound workable management plans on a unit basis.

16 Once the direction has been provided to  
17 the district manager and the plan author, on May 1st we  
18 are recommending that the district manager call  
19 together the citizens committee. This is the local  
20 citizens committee. In conjunction with the plan  
21 author, he would review the regional resource  
22 strategies, the citizens committee would provide input  
23 and advise on how they thought that strategy could be  
24 implemented on a district or a management unit basis in  
25 terms of providing some direction to the plan author on

1 local concerns. Not only would they provide local  
2 concerns and some advice, they would also play a key  
3 role in identifying additional values.

4 At this point in time there would be a  
5 values map produced, it would be reviewed by the  
6 citizens committee and they would provide input and  
7 identify any additional values.

8 Part of the process that we are  
9 recommending is that there be a separation of the plan  
10 from the database. The database is really background  
11 information. The integrated resource database which is  
12 a resource inventory plus the values, and a report on  
13 past operations and some future direction.

14 One of the comments that we have always  
15 received at open houses is we have too much paper to  
16 deal with. The Industry proposal is that we condense  
17 that paper into executive summaries and that would be  
18 executive summaries of the three components that I  
19 mentioned.

20 The district manager with the assistance  
21 of regional staff would prepare the executive summary  
22 and background information. Background information is  
23 things like provincial policy: How is that policy  
24 translated down to a regional basis, how is the  
25 regional policies translated down to district targets,

1        what is the process that we are following, what is the  
2        District Land Use Guidelines, how are they being  
3        interpreted. And really a key element of the executive  
4        summary is to identify specific problems and issues  
5        with achieving those targets on a district basis.

6                If the district manager or the advisory  
7        committee feel that it is a problem and issue, the  
8        district manager must provide a proposed strategy to  
9        address that problem. That proposed strategy must be  
10       highlighted within the executive summary as well as  
11       providing some estimate of what it would cost in order  
12       to provide the best information.

13               The second executive summary is the  
14       integrated resource database. As I mentioned before,  
15       this is a summary of the resource inventory data that  
16       is available to the plan author, it's a summary of  
17       values identified to date. To give you some examples  
18       of that, it could be a summary of when the latest moose  
19       surveys were taken, in terms of on a particular  
20       management unit how current is our database. If it  
21       isn't current and the information is not available, the  
22       district manager must provide or highlight specific  
23       problems and issues and identify again proposed  
24       strategies to alleviate specific problems and issues.

25               In the case of a resource inventory gap

1       where we don't have the information, he would put  
2       together a strategy that would identify how that  
3       information was going to be collected or could be  
4       collected, the associated cost of collecting that  
5       information, and really the priority that it would have  
6       compared to other things which are missing within the  
7       database. That way we do have some priortization  
8       established that we are collecting information or at  
9       least putting programs together that provide  
10      information on the most important elements that we  
11      need.

12                   The third executive summary is a report  
13      on past operations and proposed future direction. As  
14      the district manager and plan author are putting  
15      together the executive summary of background  
16      information and integrated resource database, an audit  
17      is taking place. It's an independent audit. As Mr.  
18      Innes explained, that audit is done with the assistance  
19      of the plan author obviously, but the audit team makes  
20      recommendations, assesses the past five years of the  
21      unit performance, whether it's a company or Crown unit,  
22      and provides some basic recommendation.

23                   The plan author is responsible to ensure  
24      that he highlights what did occur and not only what did  
25      occur but how does that compare to what the previous

1 plan had indicated, and that is really the past forest  
2 operations. Using the audit and some of the advice or  
3 all of the advice provided by the advisory committee,  
4 the plan author puts together some strategies and  
5 objectives for future direction for the preparation of  
6 the next plan.

7 Once that is completed and the executive  
8 summaries have been put together, the district manager  
9 in conjunction with the plan author calls in the local  
10 citizens group. He reviews with them each executive  
11 summary. The person that was responsible for putting  
12 the executive summaries together must present the  
13 information. It will be a joint responsibility of the  
14 district manager and the plan author. The local  
15 citizens committee has the opportunity to review that  
16 information and provide input or additional advice.

17 We have provided approximately a  
18 one-month period for the district manager and the plan  
19 author to consider that advice and either incorporate  
20 it into the executive summary or at least highlight it  
21 as being advice provided by the local committee. This  
22 way we ensure that the public's advice at the advisory  
23 committee level is being identified and that it is  
24 available for other members of the public to comment  
25 on.

1                   On October 31st of the first year, the  
2                   Ministry hosts an information centre.

3                   Q.   This is what Mr. Innes referred to,  
4                   is it, of the MNR hosted database open house?

5                   A.   That's correct, Mr. Cosman.   The  
6                   reason that MNR is hosting the information centre  
7                   instead of the plan author is really the pre-planning  
8                   components take into account a lot of other resources  
9                   and it's important to have those resources, as much as  
10                  possible, integrated into the timber management plan  
11                  activities.

12                  Up to this point in time it's really an  
13                  MNR responsibility, with the exception of the timber  
14                  management activities which is clearly the plan  
15                  author's responsibility.

16                  The plan author will be present at the  
17                  open house, will be available to answer comments on the  
18                  timber management aspects.   In addition to that  
19                  individual, MNR will have their usual complement of  
20                  biologists, district land use planners and whoever they  
21                  would need to be able to answer the questions from the  
22                  general public.

23                  Once that open house is completed we have  
24                  allowed a 30-day public review period which is no  
25                  different than what occurs now.   I would like to stress

1       though that at the present -- under the current system  
2       we do not have an open house or information session  
3       reviewing the pre-planning components or background  
4       information.

5               Once that 30-day public review period is  
6       done, the plan author and the district manager present  
7       the information to the integrated resource user  
8       committee.

9               Mr. Innes indicated that tri-level  
10       committee structure must have communications between  
11       the level. This is the first step in communications  
12       going up.

13              As we indicated at the beginning, the  
14       regional committee provides direction down, now the  
15       district committee is providing some input and advice  
16       up to the regional level. The district manager and  
17       plan author present that information and solicit input  
18       and advice from that committee.

19              So what we have done is basically  
20       completed one year of pre-planning. Everything is up  
21       front, it's on the table, the public has had the  
22       opportunity to understand the process, understand how  
23       the decisions were made on a provincial, regional,  
24       district level basis up to this point.

25              After first year, plan production

1 actually starts. The plan author has available to  
2 him --

3 Q. You are referring to January 1st of  
4 year two?

5 A. That's correct, Mr. Cosman.

6 Q. All right.

7 A. The plan author has available to him  
8 or her to utilize within the plan preparation the input  
9 from the local citizens committee, the background  
10 information that was compiled or assembled for the  
11 purpose, the integrated resource database that was  
12 assembled for the purpose, plus the public review, plus  
13 the input that is provided from the various committee  
14 structures.

15 At that time the plan author and the  
16 district manager will have a clear indication of what  
17 are the real issues that individuals are concerned  
18 about. With that in mind the plan author -- excuse me,  
19 with that in mind the district manager will have a  
20 really good idea of who he should provide to provide  
21 technical assistance to the plan author.

22 As Mr. Innes indicated, we see the  
23 current planning team actually being the advisory  
24 committee plus a group of technical experts that are  
25 available to the planning team; available being that if

1 a plan author requires their assistance in providing  
2 rationale to the advisory committees, they will be  
3 available to do that.

4 The district manager appoints people to  
5 the technical group. It could be people with MNR,  
6 within MNR, it could be people outside MNR, it will be  
7 individuals that have technical expertise in dealing  
8 with specific resource management decisions whether  
9 it's water quality, fisheries or moose. He provides  
10 that direction to the plan author in terms of: Here  
11 are your technical group, these people will be  
12 available to you to produce the plan.

13 In addition to that, the district manager  
14 provides a list of interested individuals or groups  
15 that want to be involved within the planning process,  
16 people that have come in and indicated they have an  
17 interest, they have some valuable input to provide and  
18 they want to be involved.

19 At that time the plan author will contact  
20 those people, whether in writing or verbally - but it  
21 will be documented - to encourage those individuals to  
22 come in and actively participate in the planning  
23 process with the plan author.

24 This is new. The reason for it is that  
25 we believe that the plan author has to take

1 responsibility and has to understand directly what  
2 individuals concerns are, what their values are in  
3 order to be able to plan an activity that will  
4 accommodate the other end users.

5 We have provided from January 1st to May  
6 1st for the plan author to work with the technical  
7 group, the interested individuals, use the guidelines,  
8 use whatever is available at his disposal to produce a  
9 draft plan.

10 The draft plan will be produced on or  
11 about May 1st. The draft plan again will be reviewed  
12 by the local citizens group. The district manager will  
13 sit on that group, however, it is the plan author's  
14 responsibility to ensure that committee has a clear  
15 understanding of what is in the plan, what the plan  
16 activities are, and how the values have been taken care  
17 of, and how their advice and input from a later stage  
18 have been incorporated into the plan.

19 After he has solicited their input and  
20 their advice there is a one-month period where he can  
21 incorporate that advice into the final plan -- or, I am  
22 sorry, into the draft plan.

23 Not only does he have to incorporate it  
24 if he feels it will produce a better workable plan, if  
25 he doesn't, the individual must highlight that advice

1 and concern in the document which goes public.

2 The draft plan will be presented to MNR  
3 on June 1st for their review. This is no different  
4 than what is currently done. We are allowing a  
5 one-month period for MNR to review either the  
6 document --

7 Q. Is that what is done now, Mr. Munro?

8 A. I believe there is 60 days now. The  
9 reason that we have shortened the time frame is that we  
10 have so much up-front planning, pre-planning that we  
11 feel that MNR will be much better equipped to deal with  
12 the actual plan because they will have worked with the  
13 plan author and have a good understanding of why the  
14 plan activity is the way it is.

15 So we are not planning on changing the  
16 review process, we are just shortening it, simply  
17 because people have been involved on a step by step  
18 basis and should be intimately familiar with the plan  
19 prior to the draft plan coming across their desk.

20 As they do now, OMNR provides a list of  
21 required alterations. They do that now, it would be no  
22 different. The plan author has approximately two weeks  
23 to prepare an executive summary of public input to date  
24 as well as an executive summary on the list of the  
25 required alterations that has been provided to him by

1 the Ministry.

2 On July 15th the plan author hosts an  
3 information session. As Mr. Innes indicated, we do  
4 believe that the plan author that has produced the plan  
5 should be held responsible for what is in that plan and  
6 should be the person that is contacted if individuals  
7 have concerns with the plan activity.

8 This is not to exclude technical experts  
9 from the information centre. They will be available at  
10 the disposal of the plan author to review certain  
11 resource management decisions that did take place;  
12 however, the plan author is clearly the individual that  
13 people provide comments to and that he deals with  
14 directly if they do have any areas of concern.

15 Q. We have heard through the  
16 cross-examination, Mr. Munro, some suggestion that  
17 people at those open houses didn't know to whom they  
18 should be speaking and there was some uncertainty as to  
19 who would have responsibility. Would this alleviate  
20 that?

21 A. We would still suspect that there  
22 would be a large number of people there available to  
23 the public to comment on, but those people that do show  
24 up would clearly understand who the person is that  
25 wrote the plan.

1                   Again, similar to what we have now, we  
2                   have provided a 30-day public review period. Any  
3                   comments, concerns or input that is provided during  
4                   that time will be directed to the plan author so that  
5                   he can put together his final plan knowing what the  
6                   individual's concerns are.

7                   On September 1st the plan author, with  
8                   the assistance of the technical committee, summarizes  
9                   the results of the public's input, MNR's review and  
10                  presents that to the integrated resource user committee  
11                  at a regional level.

12                 The process is much similar to what I  
13                 explained for the local district level. They provide  
14                 input, advice, assistance to the plan author. We feel  
15                 that this particular committee could provide valuable  
16                 insight into areas of contentious issues, if there is  
17                 things out there that are better dealt with on a  
18                 regional basis because they have a regional impact, and  
19                 this committee would provide some valuable assistance  
20                 to the district manager as well as the plan author in  
21                 moving towards the resolution of those contentious  
22                 issues or providing support for their particular stance  
23                 that the plan author has taken.

24                 Once that review has taken place, the  
25                 plan author again has a period of time to put the final

1 plan together. We have allowed from September 1st to  
2 December 1st for the plan author to put the plan  
3 together and present the final plan to the Ontario  
4 Ministry of Natural Resources.

5 Again, as it is now, there would be a  
6 30-day public inspection of the final plan prior to the  
7 approval.

8 Q. I guess that takes us to the final  
9 period in year three?

10 A. That's correct, Mr. Cosman.

11 Q. And what would happen there?

12 A. Following the 30-day public review  
13 period, the plan would be approved for implementation  
14 April 1st.

15 One question that has arisen from our own  
16 industrial foresters is: Why so much time between the  
17 final public inspection and the approved plan. We feel  
18 we need this time if there is a bump-up request. We  
19 don't believe that there is adequate time under the  
20 current process to allow that bump-up request to be  
21 properly assessed by, if need be, the Ministry of  
22 Environment and for them to make a good sound call on  
23 whether that bump-up request should be entertained.  
24 So, therefore, we are allowing a three-month period  
25 basically to allow that process to take place.

1                   We feel that that will provide an  
2           adequate time in order for the Ministry of Environment  
3           to make a decision on a bump-up request.

4                   Q. Mr. Munro, just finally. The terms  
5           and conditions posed by Industry as well as the  
6           planning evidence which constitutes Panel 10 address  
7           this process in some detail?

8                   A. Yes, they do.

9                   Q. Thank you.

10                  MR. MARTEL: Can I ask one question, Mr.  
11           Cosman? Why the lengthy time period from September 1  
12           to December 1? Is that an unduly long time for -- you  
13           have a plan, it hasn't been finalized, this is the  
14           final run at it, but there's a three-month from the  
15           review of the draft plan. Does it take three months to  
16           finalize a plan?

17                  MR. MUNRO: If I could just provide some  
18           assistance, Mr. Martel. Once the draft plan is  
19           produced, if you have gone through quite a lengthy  
20           public review process and they have provided comments,  
21           even the miniscule comment that is provided, if you  
22           make a slight adjustment in the plan it changes the  
23           entire plan, tables change, stand listings change, it  
24           has the impact of revising your entire plan.

25                  And what we have found is that, industry

1       foresters anyway, we need the time to ensure that those  
2       changes do occur and that they are properly documented  
3       and that we are not rushing it. And that is why we  
4       have allowed a little more time, to give some breathing  
5       room. It's really for the plan author to sit back,  
6       relax, think about what he has heard and then produce  
7       the final plan.

8               MR. COSMAN: Q. If we did away with the  
9       documentation, we could probably shorten; is that  
10      right, Mr. Munro? I am not suggesting that.

11             MR. MUNRO: A. We could shorten it a  
12      great deal, Mr. Cosman, whether that would be advisable  
13      or not is another thing.

14             Q. Okay.

15             A. With that I would like to call on Mr.  
16      Innes to provide an overview of what has been said.

17             MR. INNES: A. Thank you, Mr. Munro.

18             Can I stress, Madam Chair, that that long  
19      delay here that Mr. Munro spoke of between January the  
20      1st and April the 1st is essential not only that  
21      bump-up be properly dealt with, but it be dealt with in  
22      a matter that gives us an operating functional plan on  
23      April the 1st so our operations can continue without a  
24      break.

25             I told you at the start that we believe

1       firmly in necessity of planning, we believe that it  
2       should be done with public input and done well and  
3       produce a meaningful document. And, having said all  
4       that, we have to have that in place at the correct time  
5       so there is no break in continuity of operations. So  
6       it is most important that we recognize that time span  
7       in there.

8               Having said that, I would like to very  
9       quickly wrap it up so I may keep Mr. Cosman's word that  
10      we shall in fact be finished by 5:30, and I will do  
11      that right now.

12             I invited you to consider what is new and  
13      if I may remind, Madam Chair, of the fact what is new  
14      in comparison with MNR, here it is.

15             The multi-level advisory committee  
16      structure, a different way of deal with guidelines, a  
17      different way of treating areas of concern and  
18      identifying values in the operating process, an  
19      enhanced planning process to look at areas of concern  
20      which are real areas of concern, a bump-up procedure  
21      which leads we think to a meaningful avenue for bump-up  
22      in case there are real concerns which can't be  
23      addressed at a local level, an independent audit  
24      procedure up front, the opportunity for increased  
25      public consultation which we welcome, a database and

1 plan separation to produce a much simpler plan, more  
2 meaningful at the ground level for the public and fpr  
3 the practitioner, and a more structured plan  
4 preparation in terms of public input.

5 And, having said that, the last thing I  
6 would like to leave with the Board is the thought that  
7 these nine major components in fact are different, they  
8 have been changed. We think they add to the process  
9 and, furthermore, they are introduced as a part of a  
10 new planning system - stressing planning system - and  
11 they are collectively necessary to make the whole  
12 system work.

13 With that I thank you for your attention  
14 and do wish you to consider our proposal.

15 Thank you.

16 MR. COSMAN: Thank you, Madam Chair.

17 If I might say that you have had many  
18 months of listening to the evidence of the proponent  
19 and learning about the proposed planning system that  
20 the MNR is operating under in fact.

21 In two hours of course we cannot do  
22 justice to something new and different, but I hope it  
23 has given you the overview of what you will see and has  
24 given you context in which you will subsequently be  
25 able to put the various parts of our evidence. You

1       undoubtedly will have questions and more as you go  
2       along and we will have the opportunity I hope to  
3       respond to those questions in Panel 10, and if there  
4       are specific questions after your review of Panel 10  
5       and our terms and conditions which detail this  
6       proposal, please bring it to our attention in your  
7       scoping session. We will ensure that we answer those  
8       questions for you.

9               I hope you will see that this proposal  
10       was intended to bring in a new system which builds on  
11       the MNR system, that's open, encourages public  
12       participation and hopefully resolves conflict in a  
13       reasonable way.

14              You can see that Industry hasn't been  
15       sitting on its hand and just saying: We too support  
16       what you do, they have actually worked and I think you  
17       will see have developed a very creative, workable and,  
18       in the end, I hope you find supportable planning  
19       system.

20              And I thank you for your attention and  
21       for your additional time because I know you are sitting  
22       long hours and did sit long hours in order that Panel 4  
23       may now be completed.

24              Thank you.

25              MADAM CHAIR: Thank you, Mr. Cosman,

1 Panel. Shall we take a short break, Mr. Cassidy,  
2 before we--

3 MR. CASSIDY: Certainly.

4 MADAM CHAIR: --before we do the scoping.  
5 I think it will be a fairly brief session.

6 MR. CASSIDY: I think so too, given the  
7 parties in attendance.

8 MADAM CHAIR: Why don't we take 10  
9 minutes.

10 MR. CASSIDY: Thank you.

11 --- (Panel withdraws)

12 --- Recess taken at 5:35 p.m.

13 --- On resuming at 5:50 p.m.

14 MADAM CHAIR: Please be seated.

15 MR. CASSIDY: Madam Chair, I have already  
16 advised Ms. Devaul of some exhibits and documents which  
17 you may find useful having tomorrow when we commence  
18 the access panel, but for the benefit of whoever else  
19 may be listening or reading the following documents I  
20 think would be of assistance and that is, of course,  
21 the copy of OFIA/OLMA Panel 5, the access witness  
22 statement itself, a copy of the case studies Exhibit  
23 1100, a copy of the access guidelines which I  
24 understand are Exhibit 683, and a copy of MNR's Panel  
25 14, the exhibit number which escapes me.

1                   Just a couple of other small matters,  
2       Madam Chair. You will recall last week during the  
3       evidence of OFIA/OLMA Panel 3 there was reference made  
4       to geographic information systems by Mr. Saltarelli and  
5       you will recall that I wished to have an opportunity to  
6       confirm something that I and Mr. Saltarelli advised the  
7       Board, and that is, that Exhibits 1025 and 1026 were  
8       GIS produced maps by way of example to the Board.

9                   You will recall those exhibits were  
10      produced during MNR's Panel 17B, I guess, the clearcut  
11      exercise. The person who I wished to speak to to  
12      confirm that is now sitting beside me - he has  
13      returned, Mr. Roll - and he has confirmed to me that  
14      those maps were produced using the GIS system and,  
15      therefore, you're now equipped with examples at least  
16      of what a GIS map looks like or maps.

17                  I am also advised that it may be  
18      necessary for the Board to have a copy - if I can go  
19      back to the documents needed for tomorrow for the  
20      access witnesses -BS> a copy of Exhibit 1101 which is a  
21      copy of the photos filed during the case studies. I  
22      see those on your desk in front of you now and it may  
23      be advisable for other parties to bring those as well.

24                  The third matter I wish to raise before  
25      we get into the harvest matter is, I am - and I

1 apologize for this - I am unclear as to when you were  
2 planning, or if you have a time in mind as to when you  
3 might be able to advise me on the proposal that I made  
4 on behalf of the Boise Cascade for a trip to their  
5 co-generation facility.

6 MADAM CHAIR: We can advise you now, Mr.  
7 Cassidy. We want to take that tour and we have  
8 instructed Ms. Devaul to speak to you about the  
9 arrangements. It has to do with whenever she can get  
10 us into Fort Frances.

11 MR. CASSIDY: Fine.

12 MADAM CHAIR: And so it would be either  
13 Tuesday afternoon or Tuesday evening.

14 MR. CASSIDY: Thank you very much. I  
15 appreciate that information. And those are all the  
16 announcements I had to make or things --

17 MADAM CHAIR: Mr. Cassidy, with respect  
18 to Exhibits 1025 and 1026, those were used as examples  
19 of HSG maps but they were produced by the GIS system.

20 MR. CASSIDY: I am advised that's  
21 correct.

22 MADAM CHAIR: Thank you.

23 With respect to Panel 6, the Board has a  
24 few questions of clarification.

25 First of all, there is an issue that came

1 up several times today and we left it until this  
2 scoping session to discuss and; that is, with respect  
3 to the silvicultural ground rules that are in the  
4 timber management planning document.

5 They point to the harvest techniques and  
6 the various silvicultural options that the company can  
7 use, and we are interested in having a better  
8 description of to what extent Industry and the Ministry  
9 of Natural Resources work together in defining what  
10 those will be.

11 Is it the case that it is the plan author  
12 who puts together that table with knowledge generally  
13 of what the MNR options are, or is MNR more actively  
14 involved in suggesting what the harvest method might be  
15 and the specific silvicultural options and regeneration  
16 options?

17 On page 48, in the first paragraph, we  
18 understand the description of a fire cycle but we are a  
19 little confused in the third sentence which reads:

20 "A fire cycle is the time it would take  
21 for fire to burn over an area equivalent  
22 in size to the area of concern."

23 Is that area of the undertaking?

24 On page 52, also in the first paragraph,  
25 the statement is made that:

1 "Clearcutting is not land clearing,  
2 clearcutting is not harvesting."

3 We think we understand the context in  
4 which you are making that statement but, of course, we  
5 have heard evidence that clearcutting is a harvesting  
6 technique and in fact does appear as the harvesting  
7 preferred option in many situations.

8 We would just like that clarified in  
9 terms of what you mean in that statement that  
10 clearcutting is not harvesting. We assume it is a  
11 harvesting method.

12 On page 72, the second paragraph, in the  
13 second sentence there is reference to:

14 "The dominant historical disturbance has  
15 been fire with windstorms assuming  
16 greater importance in the more southerly  
17 mixed wood and tolerant hardwood  
18 forests."

19 We wanted you to confirm with us that  
20 much of the evidence that the Board has heard to date  
21 concerning blowdown, which is what we think you are  
22 getting at with respect to windstorms, has been  
23 primarily about the boreal forest and specifically the  
24 problem with blowdown of spruce.

25 And we would like to know how that fits

1 in with this statement about windstorms assuming  
2 greater importance in the more southerly mixed wood and  
3 tolerand hardwood stands.

4 And our final suggestion has to do with  
5 the graphs in the various figures. Mr. Martel and I  
6 are going to have to have a very careful explanation of  
7 how to read these graphs.

8 MR. CASSIDY: I can advise, Madam Chair,  
9 that it is the intention of witness Dr. Methman to  
10 actually bring a computer to the hearing room and by  
11 the use - a rather interesting use if I might offer an  
12 editorial comment - of the computer in combination with  
13 the overhead, you will actually be able to see these  
14 graphs move and develop over time.

15 And I can tell you, speaking as one  
16 layman to another, it was required to have it explained  
17 to me and, therefore, I have asked him to be prepared  
18 to do the same thing to you.

19 So assuming we can go to the technical  
20 difficulties of getting the computer matched up with  
21 the correct overhead, which I think we will be able to  
22 do by next week, you will be able to see the graphs  
23 actually move.

24 MR. MARTEL: I thought it was Spiderman  
25 for a while.

1 MADAM CHAIR: And those are the questions  
2 and clarification the Board would want.

3 MR. CASSIDY: All right. Thank you,  
4 Madam Chair.

5 If I could just deal with a few matters  
6 arising out of the statements of issues that I have  
7 been provided with, and I can advise that I received  
8 statements of issues and have spoken to Ms. Devaul who  
9 indicates that she has received the same statements of  
10 issue from Forests for Tomorrow, MOE and MNR;  
11 therefore, I am operating under the assumption it is  
12 only those three parties who intend to cross-examine as  
13 the deadline was yesterday.

14 With respect to Forest for Tomorrow's  
15 statements of issues which I am not sure you have in  
16 front of you --

17 MADAM CHAIR: Yes, we do.

18 MR. CASSIDY: All right. There are a  
19 couple - and I appreciate that Ms. Swenarchuk is not  
20 here - but I want to let the Board know what my  
21 position will be next week in respect of a couple of  
22 those matters.

23 If you flip to page 2 of the statement of  
24 issues under the reference to the Panel 4 case studies,  
25 the second bullet matter is the relationship of

1 silvicultural practices under FMAs to pre-FMA  
2 silvicultural practices.

3 I will be requesting clarification from  
4 Ms. Swenarchuk as to whether or not she is referring  
5 there to harvesting practices or renewal practices. If  
6 it is the latter, it will be my position that that  
7 matter should be dealt with in the renewal panel.

8 Likewise, if you go down two more bullet  
9 points with respect to the point - and I am quoting -  
10 referred to as:

11 "Utilization of areas declared surplus."

12 That is a matter which, in our respectful  
13 submission, the planning panel can deal with and  
14 accordingly I will be making that position known at the  
15 appropriate time, of course when Ms. Swenarchuk is here  
16 and, therefore, it would be better dealt with in Panel  
17 10.

18 Subject to that, Madam Chair, those are  
19 my comments on the statements of issues.

20 If I could request the multitudes  
21 gathered here to indicate how long they intend to be.  
22 I can advise the Board that my present projection is  
23 that I intend to be one day and one hour in  
24 evidence-in-chief and, Mr. Martel, you can time me on  
25 that, or less.

1                   And I am not aware of what the estimates  
2                   are from Ms. Blastorah on behalf of MNR or Ms. Seaborn  
3                   on behalf of MOE, but to assist us in terms of our  
4                   future planning, I would appreciate some estimate.

5                   MADAM CHAIR: Ms. Seaborn?

6                   MS. SEABORN: Two to three hours, Madam  
7                   Chair.

8                   MS. BLASTORAH: I won't be  
9                   cross-examining on this panel, Madam Chair, but I am  
10                  advised that Mr. Freidin expects to be in the  
11                  neighbourhood of two to three hours, but I would make  
12                  that subject to discussing it with him personally. I  
13                  haven't had an opportunity to speak with him directly.

14                  MADAM CHAIR: How long did you say you  
15                  were going to go?

16                  MR. CASSIDY: One day and one hour.

17                  MADAM CHAIR: That's what I thought. So  
18                  two days.

19                  MR. CASSIDY: Yes. That does not include  
20                  Forests for Tomorrow in the calculation and I am not  
21                  aware --

22                  MADAM CHAIR: That's right.

23                  MR. CASSIDY: She not provide me with an  
24                  estimate prior to her departure today, so that's an  
25                  unknown quantity. But it appears that if we - and I am

1       speculating here, which is dangerous to do - but if we  
2       start access tomorrow morning bright and early at eight  
3       o'clock and I am still within my projection of two to  
4       two and a half hours, we can finish the  
5       examination-in-chief by 11:00, Madam Chair.

6               And it appears that if Dr. Quinney is  
7       correct in his estimate we can get through the Anglers  
8       & Hunters by tomorrow potentially, and then we would  
9       have all day Tuesday to commence and deal with the  
10      Ministry of Natural Resources and Ministry of the  
11      Environment and NOTOA on Tuesday in access.

12             And if we are prepared -- if the panel is  
13      prepared to sit late, I can probably complete my  
14      re-examination, although that's subject to hearing  
15      cross obviously, such that we can commence harvest on  
16      Wednesday.

17             We are dealing on Tuesday night with  
18      submissions regarding the documentation requirements  
19      for Forests for Tomorrow, and then on Wednesday night  
20      we are dealing with Panel 7.

21             MADAM CHAIR: Did Ms. Swenarchuk say that  
22      Mr. Castrilli is doing Panel 7?

23             MR. MARTEL: That's what she said last  
24      night.

25             MR. CASSIDY: I think so. It is

1 long-range planning to plan a week ahead, but I am  
2 hopeful that we might get some way to completing Panel  
3 6 by the end of the week, although it appears likely we  
4 will probably have to go into the following week to  
5 complete Panel 6.

6 I am speculating again, Mr. Martel, but I  
7 can't predict the cross-examinations since I don't know  
8 Ms. Swenarchuk's time estimate and it looks like we  
9 won't be able to sit late any of the nights next week  
10 in terms of hearing evidence.

11 MR. MARTEL: On Tuesday you present --

12 MR. CASSIDY: No, Tuesday, sir, there  
13 would be completion of access, Wednesday I would do  
14 direct, and Thursday there would be cross-examinations  
15 commencing. So we are into the following week.

16 MS. BLASTORAH: Madam Chair, if I might,  
17 just for the purposes for planning my own time this  
18 evening, can I assume that I will not be  
19 cross-examining tomorrow?

20 I understand from Ms. Devaul that Dr.  
21 Quinney has in fact projected or confirmed that Mr.  
22 Hanna expects to be half a day. Given our short  
23 sitting time tomorrow and the fact that NOTOA would  
24 precede me in any event, I think -- if he is accurate  
25 in his projection, I can assume I won't be on until

1 next week?

2 MADAM CHAIR: I think so, yes.

3 MS. BLASTORAH: Thank you.

4 MR. CASSIDY: Does the Board intend to  
5 rise at three o'clock tomorrow?

6 MADAM CHAIR: Yes.

7 MR. CASSIDY: Thank you.

8 MS. SEABORN: And, Madam Chair, if I  
9 might address the Board. I wanted the Board to be  
10 aware that I have a trial in Toronto tomorrow and I  
11 will not be available. This is a matter that was  
12 scheduled for last August and I adjourned once to this  
13 particular date on account of a cross-examination I was  
14 conducting last August, but it doesn't look like there  
15 will be any problem in terms of holding up the panel.

16 MADAM CHAIR: No, I don't think we will  
17 be getting to you.

18 All right. Is there anything else?

19 (no response)

20 Okay, thank you very much. We will see  
21 you at eight o'clock tomorrow morning.

22 MS. SEABORN: That's correct.

23 ---Whereupon the hearing adjourned at 6: 05 p.m., to be  
24 reconvened on Thursday, April 12th, 1990, commencing  
at 8:00 a.m.

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